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DIGEST OF PUBLIC LAW 86-507

USE OF CERTIFIED MAIL TO TRANSMIT GOVERNMENT MATERIAL. Amends various laws, including several laws administered by this department, so as to authorize the use of certified mail for the transmission or service of matter previously required by certain Federal laws to be transmitted or served by registered mail.

OPTIONAL USE OF CERTIFIED MAIL BY GOVERNMENT AGENCIES

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HEARING

BEFORE THE

COMMITTEE ON POST OFFICE AND CIVIL SERVICE HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH CONGRESS

SECOND SESSION

ON

H.R. 8542, H.R. 8543, and H.R. 10996

BILLS TO AUTHORIZE THE USE OF CERTIFIED MAIL FOR THE TRANSMISSION OR SERVICE OF MATTER REQUIRED BY CERTAIN FEDERAL LAWS TO BE TRANSMITTED OR SERVED BY REGISTERED MAIL, AND FOR OTHER PURPOSES

MARCH 16, 1960

Printed for the use of the Committee on Post Office and Civil Service

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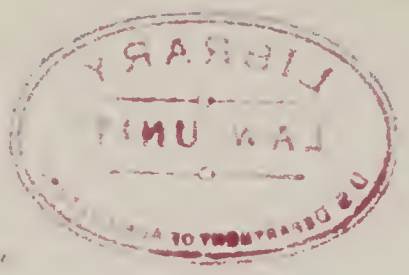

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OPTIONAL USE OF CERTIFIED MAIL BY GOVERNMENT AGENCIES

WEDNESDAY, MARCH 16, 1960

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met at 10:15 a.m., pursuant to call, in room 215, House Office Building, Hon. Stanley A. Prokop (chairman of the subcommittee) presiding.

Mr. PROKOP. The subcommittee will come to order.

This subcommittee was appointed to consider H.R. 8542 and H.R. 8543, identical bills to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes. Since introduction of such bills several changes have been made in the laws concerned in this legislation, so that Chairman Murray has introduced a clean bill, H.R. 10996, which also is before the subcommittee.

(The bill, H.R. 10996, follows:)

[H.R. 10996, 86th Cong., 2d sess.]

A BILL To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12(b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6(b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail", and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2(a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(12) Section 402(c)(4) of the National Housing Act, as amended by section 501 of the Housing Act of 1954 (68 Stat. 633; 12 U.S.C. 1725), is amended by inserting "or by certified mail" immediately following "registered mail".

(13) Section 5(f) of the Federal Trade Commission Act, as amended (52 Stat. 113; 15 U.S.C. 45), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(14) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 805; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(15) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(16) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(17) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 133; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(18) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1053; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(19) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following:

"Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(20) The second sentence of section 2410(b) of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(21) The third sentence in the third paragraph of section 17 of the Mineral Lands Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(22) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) The third sentence of section 207(i) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(24) The first sentence of section 208(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(25) Clause (1) of the last paragraph of section 7(a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(26) Clause (1) of the last paragraph of section 5(a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(27) Section 2(b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 682; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(28) The first sentence of section 3491(C) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(29) Section 3491(D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 609; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(30) The second sentence of section 19(c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(31) Section 19(e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(32) Section 784(b) of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(33) Section 5226 of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(34) The second paragraph of section 2 of the Act of August 24, 1912, as amended (47 Stat. 1486; 39 U.S.C. 233), is amended by striking our "by registered letter" and inserting in lieu thereof "by registered mail or by certified mail".

(35) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(36) The last sentence of section 4(d) of the National Science Foundation Act of 1950, as amended (73 Stat. 467; 42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The first sentence of section 19(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 702), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking our the words "registered letter" and insertingin lieu thereof "registered mail or by certified mail".

(39) Section 105(a) of the Renegotiation Act of 1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) Section 107(e) of the Renegotition Act of 1951 (65 Stat. 20; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immedately following the words "registered mail" wherever such words appear therein.

(41) The second sentence of section 9(b) of the Professional Engineers' Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809(b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 10 of the Act of March 19, 1906 (34 Stat. 71), as amended (48 Stat. 845; D.C. Code, sec. 5–310, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(43) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(44) The first sentence of section 5 of the Act of December 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(45) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking out "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(46) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(47) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) The fourth sentence in the first paragraph of section 24 of the Life Insurance Act (48 Stat. 1137; D.C. Code, sec. 35–423) is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(49) The third sentence of section 23(b) of the Fire and Casualty Act (54 Stat. 1075; D.C. Code, sec. 35–1327(b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3(e) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C.Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14(a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413 (a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

Mr. PROKOP. The members of the subcommittee are Mr. Foley, Mr. Irwin, Mr. Barry, Mrs. St. George, and I was designated chairman.

The general purpose of this legislation is to realize, for the various Government departments and agencies, the benefits of the new certified mail procedure established by the Postmaster General several years ago. This certified mail procedure in many instances will fully serve the Government's purposes heretofore requiring the use of registered mail. Certified mail results in lesser handling cost to the Postal Establishment, which in turn can pass this savings along to other departments and agencies.

For a number of years past, certain official documents and papers have been required, by various statutes, to be transmitted by registered mail when sent by the Government departments or agencies named in the statutes. A canvass of the departments and agencies discloses that in many instances certified mail will fully serve the purpose, at an overall saving to both the Postal Establishment and the departments and agencies concerned.

This legislation, therefore, amends existing laws so as to permit each department and agency concerned the option of using either registered mail or certified mail as the particular occasion may require. It represents an official recommendation of the administration and was submitted by the Postmaster General of the United States.

It is understood that the Post Office Department concurs in the changes incorporated in Chairman Murray's new bill, H.R. 10996.

The first witness this morning is Mr. Louis J. Doyle, Associate General Counsel, Post Office Department.

STATEMENT OF LOUIS J. DOYLE, ASSOCIATE GENERAL COUNSEL, POST OFFICE DEPARTMENT, ACCOMPANIED BY EDWIN A. RILEY, DIRECTOR, POSTAL SERVICES DIVISION

Mr. DOYLE. Thank you, Mr. Chairman. With me is Mr. Edwin A. Riley, the Director of the Postal Services in the Bureau of Operations, who will be able to explain to you the mechanical ways in which registered and certified mail work.

Your summary very accurately and clearly reflects the purposes and objectives of this legislation, which the Postmaster General asked Congress to enact back in January of 1959. I would like to read two or three paragraphs from his letter to the Speaker of the House, and then ask that you put the entire letter into the record.

He states in this letter:

> Many official documents and other matter transmitted or served by registered mail generally have no intrinsic value. The purpose of having them served or transmitted by registered mail is to establish proof of mailing and delivery through the system of receipts provided for such mail. The same purpose now can be served by the use of the certified mail service.
>
> The certified mail service established by the Postmaster General now provides a cheaper means for the transmission of such documents or other matter which are required or permitted by law to be served or transmitted by registered mail. Proof of mailing and delivery is available through the system of receipts given at the time of mailing and taken at the time of delivery of the certified mail. If the sender so desires, he may obtain a return receipt as evidence of delivery.
>
> * * * * * * *
>
> During the 1st session of the 85th Congress two laws (Public Law 85–207, approved August 28, 1957, and Public Law 85–259, approved September 2, 1957) were enacted to provide, among other things, the necessary amendment of three existing laws—

at the time—

> to authorize the use of certified mail. The attached proposal combines and incorporates into one bill the various remaining laws which the departments and agencies of the Government suggested for amendment to authorize the use of certified mail, in addition to registered mail, for the transmission or service of documents and other matter. These laws are listed in subsection (a) of the proposal.
>
> * * * * * * *

(The letter referred to follows:)

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., January 12, 1959.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Submitted herewith for consideration by the Congress is a legislative proposal to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

There are several provisions of law which authorize or require the transmission or service of documents and other matter by registered mail.

Many official documents and other matter transmitted or served by registered mail generally have no intrinsic value. The purpose of having them served or transmitted by registered mail is to establish proof of mailing and delivery through

the system of receipts provided for such mail. The same purpose now can be served by the use of the certified mail service.

The certified mail service established by the Postmaster General now provides a cheaper means for the transmission of such documents or other matter which are required or permitted by law to be served or transmitted by registered mail. Proof of mailing and delivery is available through the system of receipts given at the time of mailing and taken at the time of delivery of the certified mail. If the sender so desires, he may obtain a return receipt as evidence of delivery.

The view has been expressed that it would be unwise to enact a general authorization for the use of certified mail in addition to registered mail for the transmission or service of documents and other matter. Accordingly, each department and agency has examined the laws under its administration and has advised with respect to the specific laws which should be amended to include authorization for the service or transmission of documents and other matter, by certified mail, in addition to registered mail.

During the 1st session of the 85th Congress two laws (Public Law 85–207, approved August 28, 1957, and Public Law 85–259, approved September 2, 1957) were enacted to provide, among other things, the necessary amendment of three existing laws [at the time] to authorize the use of certified mail. The attached proposal combines and incorporates into one bill the various remaining laws which the departments and agencies of the Government suggested for amendment to authorize the use of certified mail, in addition to registered mail, for the transmission or service of documents and other matter. These laws are listed in subsection (a) of the proposal.

Subsection (b) of the proposal provides that return receipts for the delivery of certified mail shall be prima facie evidence of such delivery to the same extent as return receipts for registered mail (39 U.S.C., sec. 388a).

This Department urges the early enactment of this legislation.

It is not possible to estimate what effect, if any, the enactment of this legislation will have on the revenues of the Department.

The Bureau of the Budget has advised that there would be no objection to the submission of this proposal to the Congress.

Sincerely yours,

ARTHUR E. SUMMERFIELD, *Postmaster General.*

Mr. DOYLE. Since this was transmitted, and since Mr. Murray and Mr. Rees introduced their bills back in 1959, there have been changes in the law, and Mr. Murray did reintroduce the bill, eliminating those that had already been taken care of. The Department would recommend that if this committee desires to report a bill, H.R. 10996 be reported. That is the most recent bill.

Mr. PROKOP. Mr. Doyle, what would be the difference in the fees for certified mail and registered mail?

Mr. DOYLE. The fees?

Mr. PROKOP. Yes, the cost to the user?

Mr. DOYLE. Mr. Riley, can you give the fee schedule on that?

Mr. RILEY. You mean the fees that are charged for the service?

Mr. PROKOP. That is right.

Mr. RILEY. The registered fees vary. I think it would be well to state briefly how these two systems work, in order that you could get the fee structure.

Mr. PROKOP. Please do.

Mr. RILEY. The registered mail service is primarily a premium service that provides the maximum protection and also indemnity; that is, an insurance feature. As recently as 1955, the year that certified mail was instituted, we were handling something like 71 million pieces of registered mail, and we had an operating deficit of $8,706,000.

We knew that included in the registered mail service was a great amount of mail that did not need the protection and indemnity. The mailer simply wanted receipts. We estimated that there were prob-

ably 25 million pieces of that kind of mail being sent as registered mail. The fees for the registered mail were comparatively low at that time.

The certified mail service was established with a fee of 15 cents in addition to postage, and as of 1959 there have been diverted 26 million pieces of mail to certified mail. The registered fees, at the same time, were raised, and as a result of the diversion of the receipt mail and the increase in the fees on registered mail, we now have an operating surplus of $2,801,000 on the two types of mail, certified plus registered.

The volume has remained the same. We still have the 71 million pieces of mail, divided 26 million to certified and 45 million to registered.

Now, to get back to your question, the fee for certified is a flat 20 cents at this time. It was increased from 15 to 20 cents. It is 20 cents in addition to postage. The registry fees are based on the value of the article mailed. They start at 50 cents and go up through $10,000 value, for which the fee is $4.25, and for amounts over that they are based on a certain amount per thousand dollars.

Mr. Prokop. Does the person who uses certified mail have the same insurance protection as one who uses registered mail?

Mr. Riley. No, sir. The certified mail is basically the receipt service of the registered mail without the protection and insurance feature. By protection I mean that in handling registered mail, a hand-to-hand receipt is given at each point. You always know where the piece is. It is handled in special pouches with special locks, and it is given personal protection at different handling points, whereas the certified mail is handled as regular mail.

Mr. Foley. Mr. Chairman, may I ask Mr. Riley a question at this point?

Mr. Prokop. Mr. Foley.

Mr. Foley. Following along the line of your description, if I understand the analysis, the insurance feature of registered mail operates to protect money, items of property of intrinsic value, whereas the 26 million pieces of certified mail contain no property values as such, but because of the nature of the communication, the message contained is of the greatest value, and to insure the transmission and the receipt of that message, the certified mail device or scheme is used, and therefore insurance as such, of a monetary nature, is not required to fulfill the basic purpose of the sender: namely, to insure receipt of the message rather than receipt of property.

Is that the difference between the two?

Mr. Riley. Yes, sir.

Mr. Foley. So that insurance is not needed in certified mail, whereas insurance is a very vital and important feature of the registered mail system.

Mr. Riley. Yes, sir; that is exactly right.

Mr. Doyle. The service of jury notice would be a good illustration.

Mr. Riley. The transmission of a will is an example. There would be no value there, except the cost of attorney's fee and the cost of the paper and typing.

Mr. Prokop. But, Mr. Riley, in using certified mail the mailer is guaranteed delivery of that mail; is he not?

Mr. RILEY. The word "guarantee" is a strong word. The registered mail service is what I would call foolproof. The hand-to-hand receipt virtually eliminates the possibility of loss.

Mr. FOLEY. Registered mail is not only foolproof, but theftproof.

Mr. RILEY. Yes, sir. For example, the indemnity paid on registered mail amounted to about $80,000 the last fiscal year. We just do not lose it.

There is, admittedly, some calculated risk on any other type of mail, although it is very slight.

Mr. FOLEY. In other words, the risk involved would be tearing by the machines in mechanical processing, or just the human error which is inherent in any human activity; that a piece would fall out of a package and get pushed under a table and just be lost. Is that not what you have in mind?

Mr. RILEY. Yes, sir.

Mr. FOLEY. But the system of certified mail contemplates assured receipt of the communication; does it not?

Mr. RILEY. Yes, sir. The mail is assigned a number. I brought some specimens here. The mailer keeps this as a receipt. It is prenumbered. The number is printed on this little sticker, which is placed on the mail, and the mailer then has the same number on his receipt. Then, at the receiving office, the addressee signs a receipt when the carrier delivers it, so that this receipt is filed at the receiving office with the same number on it that the mailer has. So It provides a means of tracing the letter. If it is not delivered, the delivery office can look under its file number and institute an investigation. For large mailings such as would be involved in the Government, they would list them on a large sheet such as this.

Mr. FOLEY. Mr. Chairman, at this point I would like to ask that these exhibits Mr. Riley has been describing be included in the record so that we have a complete record of this certified mailing system.

Mr. PROKOP. They will be inserted at this point in the record.

(The material referred to appears on the following pages.)

Mr. RILEY. The return receipt is a card that the mailer can obtain if he desires to have a receipt from the recipient.

Mr. PROKOP. Is there any extra charge for that?

Mr. RILEY. Yes. The fee is 10 cents for just a plain receipt showing to whom and when delivered. This is signed by the addressee and returned to the mailer.

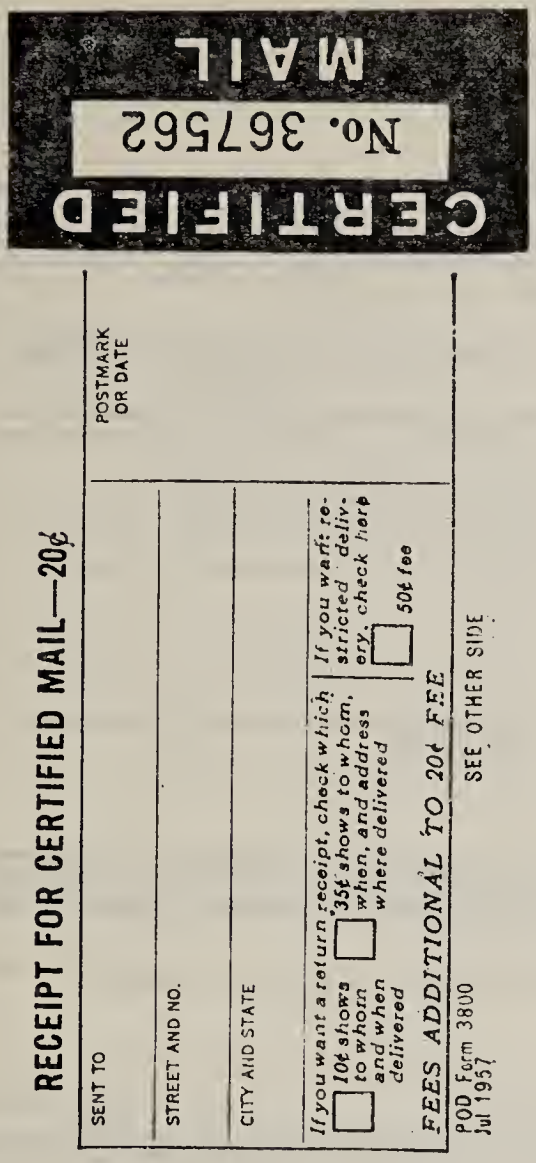
These are exactly the same receipts that are used for registered mail, absolutely the same ones. There is no difference in the fees and no difference in the actual, physical form used. The difference in the two services is the protection and the insurance.

I think the experience we have had here is really the strongest evidence of the success of the system. Out of 71 million pieces there have been 26 million pieces diverted to this service, and it appears to be working very satisfactorily.

Mr. JOHNSON. Mr. Chairman, may I ask Mr. Doyle a question?

Mr. PROKOP. Mr. Johnson.

Mr. JOHNSON. Mr. Doyle, could you give the subcommittee the average charge for certified mail and the average charge for registered mail?



1. Stick postage stamps to your article to pay:
   20¢ certified mail fee — Restricted delivery fee—50¢ (*optional*)
   First-class or airmail postage — Special-delivery fee (*optional*)
   Either return receipt fee—10¢ or 35¢ (*optional*)
2. If you want this receipt postmarked, stick the gummed stub on the address side of the article, *leaving the receipt attached*, and present the article to a postal employee.
3. If you do not want this receipt postmarked, stick the gummed stub on the address side of the article, detach and retain the receipt, and mail the article.
4. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, POD Form 3811, and attach it to the back of the article. Endorse front of article RETURN RECEIPT REQUESTED.
5. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. Place the same endorsement in line 2 of the return receipt card.
6. Save this receipt and present it if you make inquiry.

☆ U. S. GOVERNMENT PRINTING OFFICE : 1957 16—71547-4

FOR	NO.
ADDRESS	OFFICE OF ORIGIN

☐ CHECK INDICATES DELIVERY ONLY TO ADDRESSEE	INSURED ☐	REGISTERED ☐	CERTIFIED ☐

YOU MAY — **The mail is now held at** →

REQUEST REDELIVERY—Telephone post office or notify carrier.
CALL FOR THE MAIL—Bring this notice. Identification required.
SEND THIS NOTICE With person you name on other side. Identification required.

RECEIVED *(Signature of addressee)*

BY

POD Form Sep. 1959 **3849**

DATE DELIVERED | BY

POSTMARK

MAIL ARRIVAL NOTICE

INSTRUCTIONS TO POSTMASTER

DELIVER ARTICLE TO	ENTER NAME OF PERSON YOU AUTHORIZE TO RECEIVE THE MAIL
FORWARD TO ADDRESSEE AT	ENTER FULL ADDRESS TO WHICH MAIL IS TO BE SENT

SIGNATURE OF ADDRESSEE OR AGENT | DATE

OFFICE RECORD OF DISPOSITION WHEN DELIVERY CANNOT BE MADE

FORWARDED TO ADDRESSEE AT *(Full address)*

RETURNED TO SENDER *(Name and address)*

☐ UNCLAIMED ☐ NOT FOUND ☐ REFUSED ☐ | DATE | BY *(Initials)*

GPO . 1959 OF—525084

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee ☐ Show address where delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED	ADDRESS WHERE DELIVERED *(only if requested in item #1)*

C55—16—71548-4 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POSTMARK OF DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN TO

REGISTERED NO.	NAME OF SENDER
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
INSURED NO.	CITY, ZONE AND STATE

POD Form 3811 Jan. 1958

C55—16—71548-4

NAME OF SENDER

ADDRESS

Indicate type of mail

☐ INSURED ☐ C. O. D.

☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	Postage	Fee	Due Sender if C. O. D.	†Endorsement	R. R. Fee	S. D. Fee	*S. H. Fee	Restricted Delivery Fee / Remarks
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									

TOTAL NUMBER OF PIECES LISTED BY SENDER (*Write number here in words*)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (*Name of receiving employee*)

†Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile Liquid," and "FLU" if "Fragile—Liquid—This Side Up."

*Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service

POD Form 3977-A
Oct. 1956

GPO: C6—18—72848-1

Mr. Doyle. I don't have the average charge. I have the average cost to the Department of handling a piece of registered mail.

Mr. Johnson. That will be satisfactory.

Mr. Doyle. That average cost of handling one piece of paid registered mail is 82.9 cents. The average cost of handling a piece of certified mail is 22.68 cents, 60 cents cheaper.

Mr. Johnson. It is approximately one-third.

Is it not also true that this saving on the 26 million pieces of certified mail represents not only a saving in expense incurred by the Department but a direct saving to the postal patrons, to the public at large?

Mr. Doyle. That is true.

Mr. Johnson. In other words, everybody profits. The Department saves money, as demonstrated by the change from a $8 million deficit on registered mail in 1955 to a $2,800,000 profit in 1959, part of which is represented by an increase in rates on registry. The increase in rates on registry is more or less offset by the savings to the public on the 26 million pieces of certified mail.

Mr. Doyle. That is correct.

Mr. Johnson. That is an ideal situation, where everybody saves money, Mr. Chairman.

Mr. Doyle. The important thing here is to the agencies of government, who now are required by law to use registered mail and cannot use certified.

Based on our cost ascertainment sample for the fiscal year 1959, the agencies of Government mailed 3,612,000 pieces of registered mail. A substantial portion of those pieces contain this material with no intrinsic value which does not need the insurance or the protective system and could be diverted into certified mail, thus reducing the bill of the various agencies to the Post Office Department for services we render and also, at the same time, reducing our cost of operation.

Mr. Johnson. You would pass your savings on to the various departments and agencies?

Mr. Doyle. That is correct.

Mr. Johnson. Thank you, Mr. Chairman.

Mr. Prokop. Why do not more of our patrons use certified mail? Is there any particular reason? Is it because they do not know about it?

Mr. Riley. We estimated that we would divert 25 million pieces, and we have diverted 26 million. I say that because, based on the character of the matter that is being mailed, we estimated that there would be that proportion of the mail that actually contained valuables and would continue to be registered.

There are many articles that do have intrinsic value, and people want them insured, and there are other items for which mailers do want an absolutely foolproof premium service. That is what we are trying to make the registered mail service: the maximum mail service.

Mr. Foley. Mr. Chairman.

For the record, Mr. Riley, could you indicate—I know the Postmaster General's annual report always shows it—the total volume of mail processing, so we can compare the certified mail volume with the registered mail volume and also the overall volume—first class?

Mr. Riley. Just first-class mail?

Mr. FOLEY. I have the volume for these two classes, but not for the overall.

Mr. RILEY. We would have to supply that.

Mr. FOLEY. Would you supply that to us?

Mr. RILEY. I will send that up.

(The information follows:)

During the fiscal year 1959 the Post Office Department handled a total of 34,274 million pieces of first-class mail.

Mr. RILEY. As I mentioned before, there were 45 million registered pieces and 26 million certified pieces. There are something like 80 billion pieces of mail; aren't there?

Mr. DOYLE. Yes. We can get that. That figure was used in the appropriation hearings.

Mr. FOLEY. Along the lines of the question of the chairman as to why more people do not use certified mail, is it not true, Mr. Riley, that we are now delving into the subjective aspect of the use of the mail service? Nobody knows why a sender would send it just plain first class or send it certified mail; and the option still exists, if this person so desires, to send a not inherently valuable piece of communication by registered mail if that person so desires; is that not so?

Mr. RILEY. Yes; that is correct. However, the registered mail service had become a means for transmitting a great amount of material that did not need to be registered. We knew that. For example, large insurance companies and banks would mail out stock certificates and this and that by the hundreds of thousands of pieces. To put that volume of nonvaluable mail into the registered service was so increasing the cost of registered mail and in effect so changing the character of the registered mail service that it was obvious that the one service could be divided into two services. We did actually pretty well know what would go out of the registered mail.

I think what we are off into here is more related to the individual mailer: that is, the motives of the individual mailer cannot be estimated.

Mr. FOLEY. Yes, but the point I want to make is that even that person who is sending a will or stock certificate, if he so desires, could send it registered mail under this system. Is there a prohibition in the law to prevent that?

Mr. RILEY. No, sir; there is not. In fact, I think a person should consider using the registered mail when he wants to be absolutely certain. I would use it myself.

Mr. FOLEY. As I understand this bill, H.R. 10996, looking it over, what are you doing by this—and this bill actually generates from the Post Office Department; does it not?

Mr. DOYLE Yes, it does.

Mr. FOLEY (continuing). Is that you are taking the advantages in all aspects, to the sender and to the Post Office Department, and applying it to the 3 million communications annually that the Federal Government sends its interagency or to citizens of the country or elsewhere; is that correct?

Mr. DOYLE. Yes; that is correct, sir.

Mr. FOLEY. That is the basic purpose. In other words, you are now updating the law to make it possible for the Federal Government agencies to have the full advantage of this highly practical and highly successful rationalization of the protective mail setup that we have.

Mr. RILEY. Yes. I think what you are getting at is that the Federal Government can make the same choice as to what service is needed that the public can, whereas under the old statutes they are bound now to use the expensive service whether they need it or not.

Mr. DOYLE. One thing bearing on the public's use of the system: I suppose there are many State laws requiring the use of registered mail which would have to be taken care of by the States themselves and cannot be taken care of by ourselves. A number of States have done that.

Mr. PROKOP. Mr. Riley, do you have anything further to say other than what we asked you? Do you have any additional statement to make?

Mr. RILEY. No, sir; I believe we have covered it pretty well. This proposal will simply give the Federal Government the privilege of using the cheaper service.

Mr. PROKOP. Mr. Barry, do you have any questions?

Mr. BARRY. Thank you, Mr. Chairman.

I think this is certainly a step in the right direction for saving the taxpayers money. I am sure we are all for that. The thing I am impressed with is that it comes from the Department and finds unanimity here in the Congress as far as the subcommittee is concerned. I do not mean to speak for all the members of the subcommittee, but I am sure there is no objection to it.

Do you think there is a way in which certified mail could be made better know by the public, as to what it offers?

Mr. RILEY. We are limited in our publicity machinery. We have given it very good publicity, we think. As you will find already in the record, we have diverted from the registered mail the volume that we anticipated. We have achieved our original goal, which would indicate that it has been given promotion in the local post offices, which of course is the place where it must be promoted. We feel that by means such as this legislation it will be given further impetus.

Some of the States have legislated this way. Actually, the volume does show a steady increase. For example, in the fiscal year 1958 we had 23 million pieces of certified mail, and in the fiscal year 1959 we had 26 million. That would indicate that we are making progress along the line which you have mentioned.

Mr. BARRY. What are the relative costs of certified mail and registered mail?

Mr. RILEY. That is the fee paid by the public, you mean?

Mr. BARRY. Yes.

Mr. RILEY. The certified mail fee is 20 cents, in addition to postage. That is a standard fee. The registered mail fees vary from the lowest, of 50 cents, up through—there is a table of rates. Just to give you a comparison, they vary from 50 cents on a valuation of $10 for the article mailed, up to $4.25 for a valuation of $10,000. Above $10,000, there is a 15 cents per thousand fee, and above $1 million there is a fee of $152.75 plus 10 cents a thousand. It is like the income tax; it is graduated. So it is rather difficult to answer your question simply.

But the basic comparison that I think would serve our purpose best is that it is a 20-cent fee for certified mail as against a minimum of 50 cents for registered mail.

Mr. BARRY. How much money do we lose annually in registered mail as such today?

Mr. RILEY. For 2 years now, we have shown an excess of revenue over cost on both registered and certified mail. We have converted what was an $8,700,000 deficit in the fiscal year 1955 to a $2,800,000 profit in the fiscal year 1959.

Mr. BARRY. I think the Post Office is to be congratulated, particularly those having to do with registered and certified mail.

Mr. RILEY. Thank you, sir.

This was accomplished by diverting the 26 million pieces to a lower cost handling and by raising the fees on registered service.

Mr. BARRY. You speak of the 2 million-some-odd dollars profit. Do you lump the two together in ascertaining costs and profit?

Mr. RILEY. No; they are kept separately. During the fiscal year 1959, the excess of revenue over costs for registered mail was $1,070,000, and on certified mail, the excess was $1,700,000.

Mr. BARRY. And the ratio of profit to volume is greater in which mail?

Mr. RILEY. By ratio, you mean per piece?

Mr. BARRY. I think you could take it volumewise. You can take it dollarwise and by the piece. It would give the subcommittee a comparison as to where you are making the most money.

Mr. RILEY. The ratio would be greater on certified mail.

Mr. BARRY. So the more we continue to get certified mail as distinguished from registered mail, the greater the savings to the Department?

Mr. RILEY. Yes, sir.

Mr. BARRY. What would happen if so much of the mail is sent by certified mail that it is only an odd piece of mail that comes through that is sent registered? Would that not add materially to the cost of handling a few pieces of mail?

Mr. RILEY. As an accounting proposition, yes. Based on our experience, however, we feel absolutely confident that the registered mail volume will not decrease a great deal more than it has already.

Mr. BARRY. How many pieces of registered mail did you carry?

Mr. RILEY. 45 million.

Our experience here in changing this loss figure to a profit figure has been very revealing. We feel that we have proved that there is a basic market for the premium service. There is a huge volume of mail for which the mailer wants the maximum protection and the insurance feature. Our volume figures here have reached a stability that indicates that there is a continuing stable demand for the registered service, which is the maximum premium service that the Post Office Department offers.

Mr. BARRY. Now that you anticipate success in this legislation, H.R. 10996, will you not then go to the insurance community and to the banking community and other communities and attempt to get them to substitute certified mail for registered mail?

Mr. RILEY. Yes, sir. That is being done at the local level. The local post offices have accomplished a great deal in that respect. That is where we have obtained the diversion of the 26 million pieces. There are huge mailings, up in the hundreds of thousands of pieces, that have been diverted.

Mr. BARRY. And you are working on a national basis as well, are you not, on this, through the national associations? I am thinking of the American Bankers Association and the insurance underwriters'

groups and that sort of thing, that would put an artiele in their publieations showing how they could all save some money and at the same time get reasonable protection.

Mr. RILEY. Yes, sir; that has been done. It was done very extensively, of course, in introdueing the service.

Mr. BARRY. I reeeived a registered letter this morning, that happened to be from an ex-employee of ours who was having some difficulty with some social seeurity matters. He wanted to make eertain that we got his letter, beeause he wanted an answer. He did not need to send it registered. I just do not think he knew about eertified mail. He went into a post offiee up in New Jersey, and here we are getting a registered letter.

I think if at the window he had been told eertified mail would get to us, he would have sent it eertified. What are you doing through the post office employees at the post office level to aequaint the public with the opportunity of the seleetion of one or the other of the two serviees being offered?

Mr. RILEY. As I understand, you are reeommending that we do more with the window elerk to apprise the public.

Mr. BARRY. Yes. I think the person who sent us the letter we reeeived today would have sent it eertified if the service had been offered him. I do not think he knew about it. I just assume that is so.

Mr. RILEY. You feel that the window elerk should apprise the mailer of the serviee to a greater degree than was done in this instanee?

Mr. BARRY. I wonder if some direction along those lines might not inerease the aetivity in the direetion in whieh you want to go.

Mr. RILEY. We will eertainly consider doing more along that line.

I do want to inject a note of warning here, though. If a window elerk advises on matters like this and the mailer does happen to have an item of value in his mail and it is lost and he is not eovered by insuranee, then the window elerk is eaught in the middle. There have been some very unpleasant experienees of that kind. Some window elerks are probably more eautious in this respeet than others, beeause of that.

Mr. BARRY. You mentioned that 26 million pieces of eertified mail had been sent last year. On what number did you have any complaints?

Mr. RILEY. As far as losses in eertified mail are eoneerned, there aren't any. It is almost as good as the registered mail in effeeting delivery.

Mr. BARRY. How about registered?

Mr. RILEY. There are a few losses in registered mail.

Mr. Barry. Then certified mail, as far as 1959 was eoneerned, was as good as registered?

Mr. RILEY. I think for the transmission of a piece of mail from the sender to the addressee, the serviees obtain almost the same result.

We have a very remarkable serviee in first-elass mail in the United States.

Mr. BARRY. Another way to get this information over without liability to the Government would be for Congressmen to put it in their newsletters and tell all their people about it. That would help a little, would it not?

Mr. RILEY. That is right; yes, sir. That would be very good.

Mr. BARRY. And if you got in touch with the congressional committees of both parties and the national committees of both parties, the organs they send out could render a service to the people and still not incur the liability that the postal clerk would fear from recommending one service versus the other?

Mr. RILEY. Yes, sir; that is right.

Mr. BARRY. Mr. Chairman, I have taken a long time. Since it is a good policy and will save Uncle Sam some money, I thought we might try to open a few more doors to the use of the certified mail as against the registered.

Mr. RILEY. We really feel this has been a remarkable achievement here. It is not often that a service can be converted in this manner from one of a rather high excess of cost over revenue to one of a rather high excess of revenue over cost. This has been accomplished in the last 2 fiscal years, which indicates that it is not just a fluke.

Mr. BARRY. If you had an increase in postage rates on second- and third-class mail and maybe a 4- to 5-cent increase in the first-class mail, you could do the same thing with the whole Department; could you not?

Mr. RILEY. Yes, sir; definitely.

Mr. BARRY. Lots of us would like to see you do that.

Mr. RILEY. I think the experience in this service has demonstrated that that could be accomplished very simply.

Mr. PROKOP. Mr. Doyle, do you have anything further to say?

Mr. DOYLE. Nothing further, Mr. Chairman.

Mr. PROKOP. Mr. Riley?

Mr. RILEY. No, Mr. Chairman.

Mr. PROKOP. I wish to thank Mr. Doyle and Mr. Riley for appearing before this committee and giving us this information that the committee needs. I also wish to thank Mr. Barry and Mr. Foley for their very helpful contributions to the hearings this morning.

Mr. BARRY. It was a pleasure indeed.

Mr. PROKOP. And to thank Mr. Johnson for his advice.

At this time the hearing will be concluded and the subcommittee will proceed in executive session.

(Whereupon, at 10:45 a.m., Wednesday, March 16, 1960, the subcommittee proceeded with other business in executive session.)

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LEGISLATIVE HISTORY

Public Law 86-507
H. R. 10996

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INDEX AND SUMMARY OF H. R. 10996

Jan. 23, 1959	Sen. Johnston introduced S. 652 which was referred to the Senate Post Office and Civil Service Committee. Print of bill.
Aug. 5, 1959	Rep. Murray introduced H. R. 8542 and Rep. Rees introduced H. R. 8543 which were referred to the House Post Office and Civil Service Committee. Print of bills.
Mar. 9, 1960	Rep. Murray introduced H. R. 10996 which was referred to the House Post Office and Civil Service Committee. Print of bill.
Apr. 7, 1960	House committee voted to report (but did not actually report) H. R. 10996.
Apr. 12, 1960	House committee reported H. R. 10996 without amendment. H. Report No. 1492. Print of bill and report.
Apr. 19, 1960	House passed H. R. 10996 without amendment.
Apr. 20, 1960	H. R. 10996 was referred to the Senate Post Office and Civil Service Committee. Print of bill as referred.
May 26, 1960	Senate committee reported H. R. 10996 without amendment. S. Report No. 1489. Print of bill and report.
June 2, 1960	Senate passed H. R. 10996 without amendment.
June 11, 1960	Approved: Public Law 86-507.

86TH CONGRESS
1ST SESSION

S. 652

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1959

Mr. JOHNSTON of South Carolina (by request) introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) sections 6, 11, and 12 of title 3, United States Code, are amended by inserting "or by certified mail" after the words "registered mail" wherever such words appear in such sections.

(2) Section 6(b) of the Grains Futures Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or by certified mail" after the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" after the words "registered mail", and (B) by inserting "or receipt for certified mail" after the words "registery receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act of 1930 (46 Stat. 534; 7 U.S.C. 499f) is amended by inserting "or by certified mail" after the words "registered mail".

(5) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause "(3)" of the first sentence, and by inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail", and (B) by striking out the words "registered and mailed" in the last sentence and by inserting in lieu thereof "mailed by registered mail or by certified mail".

(6) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail," after the words "registered mail".

(7) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" after the words "registered mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or by certified mail" after the words "registered mail".

(9) The first section of the Act of November 7, 1918 (40 Stat. 1043), as amended (12 U.S.C. 33), is further amended by inserting "or by certified mail" after the words "registered mail".

(10) Section 3 of the Act of November 7, 1918, as added by the first section of the Act of February 25, 1927 (44 Stat. 1224), and thereafter amended (12 U.S.C. 34a), is further amended by inserting "or by certified mail" after the words "registered mail" in the first sentence thereof.

(11) Clause (2) of the first sentence of section 4(b) of the Act of November 7, 1918, as added by the first section of the Act of July 14, 1952 (66 Stat. 599; 12 U.S.C. 34b), is amended by inserting "or by certified mail" after the words "registered mail".

(12) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is further amended by inserting "or by certified mail" after the words "registered mail" in the first sentence thereof.

(13) The last sentence of section 2(a) of the Act of August 17, 1950 (64 Stat. 455; 12 U.S.C. 214a), is amended by inserting "or by certified mail" after the words "registered mail".

(14) The last paragraph of section 11 of the Act of October 15, 1914 (38 Stat. 734), as amended (15 U.S.C. 21), is further amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence, and by inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail", and (B) by striking out the words "registered and mailed" in the last sentence and by inserting in lieu thereof "mailed by registered mail or by certified mail".

(15) Section 5(f) of the Act of September 26, 1914 (38 Stat. 719), as amended (15 U.S.C. 45), is further amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence, and by inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail", and (B) by striking out the words "registered and mailed" in the last sentence, and by inserting in lieu thereof "mailed by registered mail or by certified mail".

(16) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 132; 16 U.S.C. 583d), is amended by inserting "or by certified mail" after the words "registered mail".

(17) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1052; 21 U.S.C.

355) is amended by inserting "or by certified mail" after the words "registered mail".

(18) Section 167(d) of the Internal Revenue Code of 1954 (68A Stat. 52; 26 U.S.C. 167) is amended by inserting "or by certified mail" after the word "registered".

(19) The last sentence of section 534(b) of the Internal Revenue Code of 1954 (68A Stat. 180; 26 U.S.C. 534) is amended by inserting "or by certified mail" after the words "registered mail".

(20) Clause (2) of section 6164(d) of the Internal Revenue Code of 1954 (68A Stat. 765; 26 U.S.C. 6164) is amended by inserting "or by certified mail" after the words "registered mail".

(21) Subsections (a) and (b) of section 6212 of the Internal Revenue Code of 1954 (68A Stat. 770, 771; 26 U.S.C. 6212) are amended by inserting "or by certified mail" after the words "registered mail" wherever they appear in such subsections.

(22) Clauses (1) and (4) of section 6532(a) of the Internal Revenue Code of 1954 (68A Stat. 816; 26 U.S.C. 6532) are amended by inserting "or by certified mail" after the words "registered mail" whenever they appear therein.

(23) Section 7455 of the Internal Revenue Code of 1954 (68A Stat. 884; 26 U.S.C. 7455) is amended by inserting "or by certified mail" after the words "registered mail".

(24) Section 7502 (c) of the Internal Revenue Code of 1954 (68A Stat. 895; 26 U.S.C. 7502) is amended to read as follows:

"(c) REGISTERED OR CERTIFIED MAIL.—If any such claim, statement, or other document is sent by United States registered or certified mail, such mailing shall be prima facie evidence that the claim, statement, or other document was delivered to the agency, office, or officer to which addressed, and the date of mailing shall be deemed to be the postmark date on the registry receipt or certified mail receipt, as the case be."

(25) The last paragraph under "(2)" in section 2284, title 28, United States Code, is amended by inserting "or by certified mail" after the words "registered mail".

(26) The second sentence of section 2410 (b), title 28, United States Code, as amended, is further amended by inserting "or by certified mail" after the words "registered mail".

(27) The third sentence in the third paragraph of section 17 of the Act of February 25, 1920 (41 Stat. 443), relating to the leasing of mineral lands, as contained in the

amendment of such section 17 by section 3 of the Act of August 8, 1946 (60 Stat. 951; 30 U.S.C. 226), is amended by inserting "or by certified mail" after the words "registered mail".

(28) Clause (1) of the last paragraph of section 7 (a) of the Act of August 13, 1954 (68 Stat. 711; 30 U.S.C. 527), is amended by inserting "or by certified mail" after the words "registered mail" wherever they appear therein.

(29) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 367; 30 U.S.C. 613), is amended by inserting "or by certified mail" after the words "registered mail" wherever they appear therein.

(30) The first sentence of section 3491 (C) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail" after the words "registered mail".

(31) The second sentence of section 19 (c) of the Longshoreman's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. sec. 919) is amended by inserting "or by certified mail" after the words "registered mail".

(32) The sixth sentence of section 5226 of title 38, United States Code, as revised and codified by Public Law 85–857, approved September 2, 1958 (72 Stat. 1105, 1261) is amended by inserting "or by certified mail" after the words "registered mail".

(33) The fourth sentence in subsection (b) of section 784 of title 38, United States Code, as revised and codified by Public Law 85–857, approved September 2, 1958 (72 Stat. 1105, 1165), is amended by inserting "or by certified mail" after the words "registered mail".

(34) Section 205(d) of the Social Security Act (49 Stat. 620) as added by section 201 of the Social Security Act Amendments of 1939 (53 Stat. 1370; 42 U.S.C. 405), is amended by inserting "or by certified mail" after the words "registered mail" wherever they appear therein.

(35) The next to the last sentence of section 12(a) of the Act of June 25, 1938 (52 Stat. 1107; 45 U.S.C. 362), is amended by inserting "or by certified mail" after the words "registered mail".

(36) The second sentence in the first paragraph of section 2(b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 681) is amended by inserting "or certified mail" after the words "registered mail".

(37) Section 12(b) of the Act of August 2, 1939 (53 Stat. 1147) as added by section 4 of the Act of July 19, 1940 (54 Stat. 767, 768; 5 U.S.C. 118k), is amended by inserting "or by certified mail" after the words "registered mail" wherever such words appear therein.

(38) The second paragraph of section 2 of the Act of August 24, 1912 (37 Stat. 553), as amended (39 U.S.C.

233), is further amended by striking out the words "by registered letter" in the third sentence of such paragraph, and by inserting in lieu thereof "by register mail or by certified mail".

(39) Subsection (c) of section 1005 of Federal Aviation Act of 1958 (72 Stat. 794; 49 U.S.C. 1485(c)) is amended to read as follows:

"(c) Service of notices, processes, orders, rules, and regulations upon any person may be made by personal service, or upon an agent designated in writing for the purpose, or by registered or certified mail addressed to such person or agent. Whenever service is made by registered or certified mail, the date of mailing shall be considered as the time when service is made."

(b) Return receipts for the delivery of certified mail shall be prima facie evidence of delivery to the same extent as return receipts for registered mail.

86TH CONGRESS
1ST SESSION

S. 652

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

By Mr. JOHNSTON of South Carolina

JANUARY 23, 1959
Read twice and referred to the Committee on Post Office and Civil Service

H. R. 8542

86TH CONGRESS
1ST SESSION

H. R. 8542

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1959

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) section 12 (b) of the Act of August 2, 1939, as added by section 4 of the Act of July 18, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6 (b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or

by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail," immediately following "registered mail,".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mail-

ing a copy thereof by registered mail or by certified mail", and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107 (d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) The first section of the Act of November 7, 1918 (40 Stat. 1043), as amended (12 U.S.C. 33), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(10) Section 3 of the Act of November 7, 1918, as added by the first section of the Act of February 25, 1927 (44 Stat. 1224), and thereafter amended (12 U.S.C. 34a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(11) Clause (2) of the first sentence of section 4 (b) of the Act of November 7, 1918, as added by the first section of the Act of July 14, 1952 (66 Stat. 599; 12 U.S.C. 34b), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(12) Section 301 of the Act of March 9, 1933 (48

Stat. 5), as amended (12 U.S.C. 51a), is amended "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(13) The last sentence of section 2(a) of the Act of August 17, 1950 (64 Stat. 455; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(14) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933 as added by section 503 of the Act of August 2, 1954 (68 Stat. 634; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(15) Section 402(c)(4) of the National Housing Act (48 Stat. 1256), as amended (12 U.S.C. 1725), is amended by insertng "or by certified mail," immediately following "registered mail,".

(16) The last paragraph of section 11 of the Act of October 15, 1914 (38 Stat. 734), as amended (15 U.S.C. 21), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(17) Section 5(f) of the Federal Trade Commission Act (38 Stat. 719), as amended (15 U.S.C. 45) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(18) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 803; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail immediately following the words "registered mail".

(19) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(20) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(21) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 132; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(22) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1052; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following: "Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(24) The second sentence of section 2410(b), of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(25) The third sentence in the third paragraph of section 17 of the General Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(26) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U. S. C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(27) The third sentence of section 207(i) of the

Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(28) The first sentence of section 208 (b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(29) Clause (1) of the last paragraph of section 7 (a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(30) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(31) Section 2 (b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 681; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(32) The first sentence of section 3491 (C) of the Revised Statutes, as added by the Act of December 23, 1943

(57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(33) Section 3491(D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(34) The second sentence of section 19(c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(35) Section 19(e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(36) Section 784(b) of title 38, United States Code, as enacted by Public Law 85–857, approved September 2, 1958, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 5226 of title 38, United States Code, as enacted by Public Law 85–857, approved September 2, 1958, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The second paragraph of section 2 of the Act of August 24, 1912 (37 Stat. 553; 47 Stat. 1486), as amended (39 U.S.C. 233), is amended by striking out "by registered letter" and inserting in lieu thereof "by registered mail or by certified mail".

(39) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) The last sentence of section 4(d) of the National Science Foundation Act of 1950 (64 Stat. 150), as amended (42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(41) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 19a(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 701), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking out the words "registered letter" and inserting in lieu thereof "registered mail or by certified mail".

(43) Section 1005(c) of the Federal Aviation Act of 1958 (72 Stat. 794; 49 U.S.C. 1485(c)) is amended to read as follows:

"OTHER METHODS OF SERVICE

"(c) Service of notices, processes, orders, rules, and regulations upon any person may be made by personal service, or upon an agent designated in writing for the purpose, or by registered or certified mail addressed to such person or agent. Whenever service is made by registered or certified mail, the date of mailing shall be considered at the time when service is made."

(44) Section 105(a) of the Renegotiation Act of 1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(45) Section 107(e) of the Renegotiation Act of 1951 (65 Stat. 19; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(46) The second sentence of section 9(b) of the Professional Engineers" Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809(b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(47) The first sentence of section 11 of the Act of

March 19, 1906 (34 Stat. 71), as amended (D.C. Code, sec. 5–310) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(49) The first sentence of section 5 of the Act of December 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(51) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(52) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The fourth sentence in the first paragraph of section 24 of the Act of June 19, 1934 (48 Stat. 1137; D.C.

Code, sec. 35–423), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(54) The third sentence of section 23(b) of the Act of October 9, 1940 (54 Stat. 1075; D.C. Code, sec. 35–1327 (b)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(56) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(57) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(58) The first sentence of section 2 of the Act of March

2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(59) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(60) The first sentence of section 3 (c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(61) The fifth sentence of section 14 (a) of title IX of the District of Columbia Revenue Act of 1937 as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413 (a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(b) Return receipts for the delivery of certified mail which is utilized under any provision of law referred to in subsection (a) of this section shall be prima facie evidence of delivery to the same extent as return receipts for registered mail.

86TH CONGRESS
1ST SESSION

H. R. 8542

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

By Mr. MURRAY

AUGUST 5, 1959
Referred to the Committee on Post Office and Civil Service

86TH CONGRESS
1ST SESSION

H. R. 8543

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1959

Mr. REES of Kansas introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) section 12 (b) of the Act of August 2, 1939, as added by section 4 of the Act of July 18, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6 (b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or

by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail," immediately following "registered mail,".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mail-

ing a copy thereof by registered mail or by certified mail", and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) The first section of the Act of November 7, 1918 (40 Stat. 1043), as amended (12 U.S.C. 33), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(10) Section 3 of the Act of November 7, 1918, as added by the first section of the Act of February 25, 1927 (44 Stat. 1224), and thereafter amended (12 U.S.C. 34a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(11) Clause (2) of the first sentence of section 4(b) of the Act of November 7, 1918, as added by the first section of the Act of July 14, 1952 (66 Stat. 599; 12 U.S.C. 34b), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(12) Section 301 of the Act of March 9, 1933 (48

Stat. 5), as amended (12 U.S.C. 51a), is amended "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(13) The last sentence of section 2(a) of the Act of August 17, 1950 (64 Stat. 455; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(14) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933 as added by section 503 of the Act of August 2, 1954 (68 Stat. 634; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(15) Section 402(c)(4) of the National Housing Act (48 Stat. 1256), as amended (12 U.S.C. 1725), is amended by insertng "or by certified mail," immediately following "registered mail,".

(16) The last paragraph of section 11 of the Act of October 15, 1914 (38 Stat. 734), as amended (15 U.S.C. 21), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(17) Section 5(f) of the Federal Trade Commission Act (38 Stat. 719), as amended (15 U.S.C. 45) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(18) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 803; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail immediately following the words "registered mail".

(19) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(20) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(21) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 132; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(22) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1052; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following: "Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(24) The second sentence of section 2410(b), of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(25) The third sentence in the third paragraph of section 17 of the General Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(26) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U. S. C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(27) The third sentence of section 207(i) of the

Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(28) The first sentence of section 208 (b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(29) Clause (1) of the last paragraph of section 7 (a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(30) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(31) Section 2 (b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 681; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(32) The first sentence of section 3491 (C) of the Revised Statutes, as added by the Act of December 23, 1943

(57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(33) Section 3491 (D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(34) The second sentence of section 19 (c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(35) Section 19 (e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(36) Section 784 (b) of title 38, United States Code, as enacted by Public Law 85–857, approved September 2, 1958, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 5226 of title 38, United States Code, as enacted by Public Law 85–857, approved September 2, 1958, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The second paragraph of section 2 of the Act of August 24, 1912 (37 Stat. 553; 47 Stat. 1486), as amended (39 U.S.C. 233), is amended by striking out "by registered letter" and inserting in lieu thereof "by registered mail or by certified mail".

(39) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) The last sentence of section 4(d) of the National Science Foundation Act of 1950 (64 Stat. 150), as amended (42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(41) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 19a(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 701), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking out the words "registered letter" and inserting in lieu thereof "registered mail or by certified mail".

(43) Section 1005 (c) of the Federal Aviation Act of 1958 (72 Stat. 794; 49 U.S.C. 1485 (c)) is amended to read as follows:

"OTHER METHODS OF SERVICE

"(c) Service of notices, processes, orders, rules, and regulations upon any person may be made by personal service, or upon an agent designated in writing for the purpose, or by registered or certified mail addressed to such person or agent. Whenever service is made by registered or certified mail, the date of mailing shall be considered at the time when service is made."

(44) Section 105 (a) of the Renegotiation Act of 1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(45) Section 107 (e) of the Renegotiation Act of 1951 (65 Stat. 19; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(46) The second sentence of section 9 (b) of the Professional Engineers" Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(47) The first sentence of section 11 of the Act of

March 19, 1906 (34 Stat. 71), as amended (D.C. Code, sec. 5–310) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(49) The first sentence of section 5 of the Act of December 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(51) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(52) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The fourth sentence in the first paragraph of section 24 of the Act of June 19, 1934 (48 Stat. 1137; D.C.

Code, sec. 35–423), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(54) The third sentence of section 23 (b) of the Act of October 9, 1940 (54 Stat. 1075; D.C. Code, sec. 35–1327 (b)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(56) The last sentence of section 10 (2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(57) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(58) The first sentence of section 2 of the Act of March

2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(59) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(60) The first sentence of section 3 (c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(61) The fifth sentence of section 14 (a) of title IX of the District of Columbia Revenue Act of 1937 as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413 (a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(b) Return receipts for the delivery of certified mail which is utilized under any provision of law referred to in subsection (a) of this section shall be prima facie evidence of delivery to the same extent as return receipts for registered mail.

86TH CONGRESS
1ST SESSION

H. R. 8543

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

By Mr. REES of Kansas

AUGUST 5, 1959
Referred to the Committee on Post Office and Civil Service

H. R. 10996

H. R. 6543

A BILL

86TH CONGRESS
2D SESSION

H. R. 10996

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1960

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12(b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6(b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or

by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373 (a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409 (d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail",

and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107 (d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2 (a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5 (d) (1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(12) Section 402 (c) (4) of the National Housing Act, as amended by section 501 of the Housing Act of 1954 (68 Stat. 633; 12 U.S.C. 1725), is amended by inserting "or by certified mail" immediately following "registered mail".

(13) Section 5(f) of the Federal Trade Commission Act, as amended (52 Stat. 113; 15 U.S.C. 45), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(14) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 805; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(15) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(16) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(17) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 133; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(18) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1053; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(19) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following:

"Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(20) The second sentence of section 2410(b) of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(21) The third sentence in the third paragraph of section 17 of the Mineral Lands Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(22) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U. S. C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) The third sentence of section 207(i) of the

Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(24) The first sentence of section 208 (b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(25) Clause (1) of the last paragraph of section 7 (a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(26) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(27) Section 2 (b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 682; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(28) The first sentence of section 3491 (C) of the Revised Statutes, as added by the Act of December 23, 1943

(57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(29) Section 3491 (D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 609; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(30) The second sentence of section 19 (c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(31) Section 19 (e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(32) Section 784 (b) of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(33) Section 5226 of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(34) The second paragraph of section 2 of the Act of August 24, 1912, as amended (47 Stat. 1486; 39 U.S.C. 233), is amended by striking out "by registered letter" and

inserting in lieu thereof "by registered mail or by certified mail".

(35) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(36) The last sentence of section 4(d) of the National Science Foundation Act of 1950, as amended (73 Stat. 467; 42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The first sentence of section 19a(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 702), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking out the words "registered letter" and inserting in lieu thereof "registered mail or by certified mail".

(39) Section 105(a) of the Renegotiation Act of

1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) Section 107(e) of the Renegotiation Act of 1951 (65 Stat. 20; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(41) The second sentence of section 9(b) of the Professional Engineers' Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809(b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 10 of the Act of March 19, 1906 (34 Stat. 71), as amended (48 Stat. 845; D.C. Code, sec. 5–310), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(43) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(44) The first sentence of section 5 of the Act of De-

cember 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(45) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking out "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(46) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(47) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) The fourth sentence in the first paragraph of section 24 of the Life Insurance Act (48 Stat. 1137; D.C. Code, sec. 35–423) is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(49) The third sentence of section 23 (b) of the Fire

and Casualty Act (54 Stat. 1075; D.C. Code, sec. 35–1327 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947

(61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3 (c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14 (a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413 (a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

86TH CONGRESS
2D SESSION

H. R. 10996

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

By Mr. MURRAY

MARCH 9, 1960

Referred to the Committee on Post Office and Civil Service

H. R. 10936

A BILL

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued April 8, 1960
For actions of April 7, 1960
86th-2d, No. 64

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HIGHLIGHTS: Senate agreed to conference report on second supplemental appropriation bill. Senate committee reported bill to expand authority to make additional loans for watershed protection. House committee reported mutual security authorization bill.

HOUSE

1. MUTUAL SECURITY. The Foreign Affairs Committee reported without amendment H. R. 11510, the mutual security authorization bill (H. Rept. 1464). p. 7003

2. JUDICIAL REVIEW. The Judiciary Committee reported with amendment H. R. 7847, to make the uniform law relating to the record on review of agency orders applicable to the judicial review of orders issued under the Federal Aviation Act of 1958 and the Food Additives Amendment of 1958 (H. Rept. 1462). p. 7003

3. APPROPRIATIONS. Agreed to allow the Appropriations Committee until midnight, Friday, April 8, to file a report on the State, Justice, and Judiciary appropriation bill for 1961. p. 6963

4. WATER COMPACT. The Irrigation and Reclamation Subcommittee of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 10513, granting the consent of Congress to Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States. p. D285

5. PERSONNEL. A subcommittee of the Judiciary Committee voted to report unfavorably to the full committee H. R. 10135 and H. R. 10188, to include certain officers and employees of the Department of Labor within the provisions of section 111 and 1114 of title 18 of the U. S. Code relating to assaults and homicides. p. D285

6. POSTAL SERVICE; CERTIFIED MAIL. The Post Office and Civil Service Committee voted to report (but did not actually report) H. R. 10996, to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail. p. D286

7. WATERSHED. The Agriculture Committee approved a watershed project for White Clay Brewery and Whiskey Creek, Kans. p. D285

8. LAMB IMPORTS. The "Daily Digest" states that the Agriculture Committee "adopted a resolution expressing the committee's sense on lamb imports." p. D285

9. FOREIGN AID. Rep. Whitener inserted an article in support of President Lleras' request for additional foreign aid. p. 6992

10. TRANSPORTATION. Rep. Osmers urged support of his bill, H. R. 3983, to repeal the 10% excise tax on domestic transportation. pp. 6994-5

11. MINIMUM WAGE. Rep. Roosevelt urged support of the proposed $1.25 hour minimum wage law, arguing that chain stores' profit picture shows that they can afford to pay the additional cost. pp. 6995-6

12. FOREIGN TRADE. Rep. Bailey inserted an article which "throws up some alarming facts about the fast-developing competition from abroad" and urged support of resolutions which would express "the sense of Congress that we should grant no further tariff deductions." pp. 6996-7001

13. LEGISLATIVE PROGRAM. Rep. McCormack stated that the State, Justice, Judiciary appropriation bill for 1961 will be considered on Tues., Apr. 15. p. 6963

14. ADJOURNED until Mon., Apr. 14. p. 7003

SENATE

15. SECOND SUPPLEMENTAL APPROPRIATION BILL, 1960. Agreed to the conference report on this bill, H. R. 10743, and acted on amendments in disagreement. (pp. 7078-84) This bill will now be sent to the President. See Digest 62 for items of interest to this Department.

16. WATERSHED PROJECTS. The Agriculture and Forestry Committee reported with amendments H. R. 4781, to make the provisions of the Watershed Protection and Flood Prevention Act applicable to the 11 major watershed projects included in the watershed improvement programs authorized by the Flood Control Act of 1944 (S. Rept. 1238). p. 7013

17. RECLAMATION. The Interior and Insular Affairs Committee reported with amendments S. 1092, to provide for the construction of the Cheny division, Wichita Federal reclamation project, Kan. (S. Rept. 1239). p. 7013

18. SPECIAL MILK PROGRAM. Senate conferees were appointed on H. R. 9331, the special milk bill. (p. 7016) House conferees have already been appointed.

19. LAMB IMPORTS. Sen. McGee inserted the statement of Sen. Moss before the U. S. Tariff Commission, Mar. 22, 1960, urging stricter control on the imports of lamb and mutton, and stating that "it does not make sense for this country to attempt to maintain a strong sheep industry as a strategic defense weapon through the wool act, and at the same time invite its ruin in the form of imports of sheep, lamb, and mutton." pp. 7028-9

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued April 13, 1960
For actions of April 12, 1960
86th-2d, No. 67

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HIGHLIGHTS: Conferees agreed to file report on special milk bill. House debated State-Justice appropriation bill. House Rules Committee cleared mutual security authorization bill.

HOUSE

1. APPROPRIATIONS. Debated H. R. 11666, the State-Justice appropriation bill for 1961. Deferred final proceedings on the bill until today. pp. 7372-94

As reported by the House Appropriations Committee (see Digest 66) this bill contains the following items: Appropriates $48,700,754 for contributions to international organizations, which includes $2,999,210 for the Food and Agriculture Organization, and funds for the Inter-American Institute of Agricultural Sciences, the International Wheat Council, and the International Sugar Council.

Regarding the use of foreign currencies, some of which are generated under Public Law 480, the Committee report states:

"Of the total recommended in the bill, the Committee has required that no less than $53,095,000 or approximately 8% of the total 1961 fiscal year appropriation, be used to purchase foreign currencies or credits owed to or owned by the Treasury of the U. S. The various Government departments and agencies concerned are directed, wherever possible, to purchase these foreign credits from the U. S. Treasury and use them abroad in lieu of dollars. This has not been done to the maximum extent possible in the past. The Committee intends to closely examine what each department and agency does in the coming fiscal year in this regard ... The Committee has included in Title VI of the bill a new section which provides that no part of any appropriation contained in this Act shall be used to administer any program which is funded in whole

or in part from foreign currencies or credits for which a specific dollar appropriation therefor has not been made."

Regarding international organizations the Committee report states: "The Committee cannot over-emphasize its concern again over the continual increase in our contributions to international organizations. Every effort should be made by the Department to see that our representatives to these various international organizations do everything possible to hold our annual contributions to a minimum."

2. WATERSHEDS. Received notification from the Public Works Committee of their approval of certain watershed projects in Ala., Ga., Ark., and Ky. pp. 7371-2

3. MUTUAL SECURITY. The Rules Committee granted an open rule for consideration of H. R. 11510, the mutual security authorization bill. pp. 7394, 7403

4. POSTAL SERVICE. The Post Office and Civil Service Committee reported without amendment H. R. 10996, to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail (H. Rept. 1492). p. 7403

5. INTEREST RATES. Rep. Patman criticized the Treasury Department for "thirty-three percent" increase in "the price of short term money" and stated "this, and the events of last week cry for a Congressional investigation." p. 7400

6. PERSONNEL. Received from the Chairman, U. S. Civil Service Commission, a draft of proposed legislation "to amend the Federal Employees' Group Life Insurance Act;" to Post Office and Civil Service Committee. p. 7402

7. USER CHARGES. Received from the Secretary of Agriculture a draft of proposed legislation to authorize user charges for certain inspection services performed by the Department; to Agriculture Committee. p. 7402

SENATE

8. SPECIAL MILK. The "Daily Digest" states that the conferees on H. R. 9331, the special milk bill, agreed "to file conference report authorizing $95 million in CCC funds for special school milk program in 1961 fiscal year ($85 million having been authorized for the 1960 fiscal year), and directing that CCC be reimbursed for cost of 1961 program by separate appropriations." p. D303

9. CASEIN; TAMPICO FIBERS. The "Daily Digest" states that the Finance Committee approved the following bills: p. D300

H. R. 9862, to continue for 2 years the existing suspension of duties on certain lathes used for shoe-last roughing or for shoe-last finishing "(with an amendment extending suspension of import duty on casein to June 30, 1963)."

H. R. 9861, without amendment, to continue until Sept. 5, 1963, the existing suspension of duty on certain istle and tampico fibers.

ITEMS IN APPENDIX

10. DAIRY INDUSTRY. Rep. McCormack discussed the hearing held by the House Small Business Committee's Special Subcommittee on Small Business Problems in the Dairy Industry, stated that the hearings "produced evidence of chaotic and deplorable conditions in the dairy industry," and inserted a statement by an investigator of the subcommittee discussing dairy industry problems. pp. A3195-9

86TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 1492

USE OF CERTIFIED MAIL BY GOVERNMENT AGENCIES UNDER CERTAIN FEDERAL LAWS

APRIL 12, 1960.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PROKOP, from the Committee on Post Office and Civil Service, submitted the following

REPORT

[To accompany H.R. 10996]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 10996) to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 10996 is to effect savings in postage costs in connection with the transmission of official mail by departments and agencies of the Government of the United States. In order to accomplish this purpose, the bill authorizes each department and agency in its discretion to utilize the certified mail procedure established by the Postmaster General several years ago, which presently is available to the general public, in lieu of registered mail. Certified mail is less costly than registered mail and in many instances will serve the purposes of Government departments and agencies fully as well as registered mail. Savings in cost of handling certified mail in the postal service will be passed on to the departments and agencies.

STATEMENT

A number of existing statutes require that certain official Government documents and papers be transmitted by registered mail when sent by the departments and agencies designated in the statutes. These statutes, to the extent amended by H.R. 10996, are set forth in this report under the heading "Changes in Existing Law," in

compliance with clause 3 of rule XIII of the Rules of the House of Representatives. A canvass of the departments and agencies discloses that in many instances certified mail will fully serve the purpose, at an overall saving to the Government.

Post Office Department representatives testified that the cost of handling certified mail averages less than 22.7 cents per piece, compared to an average cost of 82.9 per piece for registered mail. The difference of 60 cents represents a net saving on each piece of Government mail that will be mailed under the certified procedure, rather than by registry, after enactment of this legislation. Approximately 3,600,000 pieces of Government mail (excluding those of the Post Office Department) are sent registered each year. If a change occurs in Government registered mailings in proportion to the change already recorded in private mailings, 36 percent of formerly registered Government mailings—or 1,290,000 pieces—henceforth may be sent as certified mail at an annual saving of $774,000 to the Government.

It is to be emphasized that the authority for use of certified mail in lieu of registered mail, contained in H.R. 10996, will be at the option of each department and agency concerned and that registered mail will continue to be used where maximum protection, including insurance, is required in the interest of the Government. The economies which will be realized under this legislation in no way will reduce security with respect to official Government mailings.

This legislation is based on an official recommendation of the Postmaster General. Representatives of the Post Office Department have informed the committee of their concurrence in the estimate of savings which should result from enactment of this legislation, as set forth above.

Official Recommendation of the Postmaster General

Office of the Postmaster General,
Washington, D.C., January 12, 1959.

Hon. Sam Rayburn,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Submitted herewith for consideration by the Congress is a legislative proposal to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

There are several provisions of law which authorize or require the transmission or service of documents and other matter by registered mail.

Many official documents and other matter transmitted or served by registered mail generally have no intrinisic value. The purpose of having them served or transmitted by registered mail is to establish proof of mailing and delivery through the system of receipts provided for such mail. The same purpose now can be served by the use of the certified mail service.

The certified mail service established by the Postmaster General now provides a cheaper means for the transmission of such documents or other matter which are required or permitted by law to be served or transmitted by registered mail. Proof of mailing and delivery is available through the system of receipts given at the time of mailing

and taken at the time of delivery of the certified mail. If the sender so desires, he may obtain a return receipt as evidence of delivery.

The view has been expressed that it would be unwise to enact a general authorization for the use of certified mail in addition to registered mail for the transmission or service of documents and other matter. Accordingly, each department and agency has examined the laws under its administration and has advised with respect to the specific laws which should be amended to include authorization for the service or transmission of documents and other matter, by certified mail, in addition to registered mail.

During the 1st session of the 85th Congress two laws (Public Law 85–207, approved August 28, 1957, and Public Law 85–259, approved September 2, 1957) were enacted to provide, among other things, the necessary amendment of three existing laws [at the time] to authorize the use of certified mail. The attached proposal combines and incorporates into one bill the various remaining laws which the departments and agencies of the Government suggested for amendment to authorize the use of certified mail, in addition to registered mail, for the transmission or service of documents and other matter. These laws are listed in subsection (a) of the proposal.

Subsection (b) of the proposal provides that return receipts for the delivery of certified mail shall be prima facie evidence of such delivery to the same extent as return receipts for registered mail (39 U.S.C., sec. 388a).

This Department urges the early enactment of this legislation.

It is not possible to estimate what effect, if any, the enactment of this legislation will have on the revenues of the Department.

The Bureau of the Budget has advised that there would be no objection to the submission of this proposal to the Congress.

Sincerely yours,

ARTHUR E. SUMMERFIELD, *Postmaster General.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 12(b) OF THE ACT OF AUGUST 2, 1939, AS ADDED BY SECTION 4 OF THE ACT OF JULY 19, 1940 (54 Stat. 767; 5 U.S.C. 118k)

(b) If any Federal agency charged with the duty of making any loan or grant of funds of the United States for use in any activity by any officer or employee to whom the provisions of subsection (a) are applicable has reason to believe that any such officer or employee has violated the provisions of such subsection, it shall make a report with respect thereto to the United States Civil Service Commission (hereinafter referred to as the "Commission"). Upon the receipt of any such report, or upon the receipt of any other information which seems to the Commission to warrant an investigation, the Commission shall fix a time and place for a hearing, and shall by registered mail *or by*

certified mail send to the officer or employee charged with the violation and to the State or local agency employing such officer or employee a notice setting forth a summary of the alleged violation and the time and place of such hearing. At such hearing (which shall be not earlier than ten days after the mailing of such notice) either the officer or employee or the State or local agency, or both, may appear with counsel and be heard. After such hearing, the Commission shall determine whether any violation of such subsection has occurred and whether such violation, if any, warrants the removal of the officer or employee by whom it was committed from his office or employment, and shall by registered mail *or by certified mail* notify such officer or employee and the appropriate State or local agency of such determination. If in any case the Commission finds that such officer or employee has not been removed from his office or employment within thirty days after notice of a determination by the Commission that such violation warrants his removal, or that he has been so removed and has subsequently (within a period of eighteen months) been appointed to any office or employment in any State or local agency in such State, the Commission shall make and certify to the appropriate Federal agency an order requiring it to withhold from its loans or grants to the State or local agency to which such notification was given an amount equal to two years' compensation at the rate such officer or employee was receiving at the time of such violation; except that in any case of such a subsequent appointment to a position in another State or local agency which receives loans or grants from any Federal agency, such order shall require the withholding of such amount from such other State or local agency: *Provided*, That in no event shall the Commission require any amount to be withheld from any loan or grant pledged by a State or local agency as security for its bonds or notes if the withholding of such amount would jeopardize the payment of the principal or interest on such bonds or notes. Notice of any such order shall be sent by registered mail *or by certified mail* to the State or local agency from which such amount is ordered to be withheld. The Federal agency to which such order is certified shall, after such order becomes final, withhold such amount in accordance with the terms of such order. Except as provided in subsection (c), any determination or order of the Commission shall become final upon the expiration of thirty days after the mailing of notice of such determination or order.

SECTION 6(b) OF THE COMMODITY EXCHANGE ACT (42 Stat. 1001, 1002; 7 U.S.C. 9)

(b) If the Secretary of Agriculture has reason to believe that any person (other than a contract market) is violating or has violated any of the provisions of this Act, or any of the rules and regulations made pursuant to its requirements, or has manipulated or is attempting to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any board of trade, he may serve upon such person a complaint stating his charges in that respect, to which complaint shall be attached or contained therein a notice of hearing, specifying a day and place not less than three days after the service thereof, requiring such person to

show cause why an order should not be made directing that all contract markets until further notice of the Secretary of Agriculture refuse all trading privileges to such person, and to show cause why the registration of such person, if registered as futures commission merchant or as floor broker hereunder, should not be suspended or revoked. Said hearing may be held in Washington, District of Columbia, or elsewhere, before the Secretary of Agriculture, or before a referee designated by the Secretary of Agriculture, which referee shall cause all evidence to be reduced to writing and forthwith transmit the same to the Secretary of Agriculture. Upon evidence received, the Secretary of Agriculture may require all contract markets to refuse such person all trading privileges thereon for such period as may be specified to the order, and, if such person is registered as futures commission merchant or as floor broker hereunder, may suspend, for a period not to exceed six months, or revoke, the registration of such person. Notice of such order shall be sent forthwith by registered mail *or by certified mail* or delivered to the offending person and to the governing boards of said contract markets.

After the issuance of the order by the Secretary of Agriculture, as aforesaid, the person against whom it is issued may obtain a review of such order or such other equitable relief as to the court may seem just by filing in the United States court of appeals of the circuit in which the petitioner is doing business a written petition praying that the order of the Secretary of Agriculture be set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary of Agriculture and thereupon the Secretary of Agriculture shall file in the court the record theretofore made, as provided in section 2112 of Title 28, United States Code. Upon the filing of the petition the court shall have jurisdiction to affirm, to set aside, or modify the order of the Secretary of Agriculture, and the findings of the Secretary of Agriculture as to the facts, if supported by the weight of evidence, shall in like manner be conclusive.

SECTION 3 OF THE ACT OF MARCH 3, 1927 (44 Stat. 1373; 7 U.S.C. 473)

SEC. 3. That it shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any cotton warehouse, cotton ginnery, cotton mill, or other place or establishment where cotton is stored, whether conducted as a corporation, firm, limited partnership, or individual, and of any owner or holder of any cotton and of the agents and representatives of any such owner or holder, when requested by the Secretary of Agriculture or by any special agent or other employee of the Department of Agriculture acting under the instructions of said Secretary to furnish completely and correctly, to the best of his knowledge, all of the information concerning the grades and staple length of cotton on hand, and when requested to permit such agent or employee of the Department of Agriculture to examine and classify samples of all such cotton on hand. The request of the Secretary of Agriculture for such information may be made in writing or by a visiting representative, and if made in writing shall be forwarded by registered mail *or by certified mail,* and the registry receipt *or receipt for certified mail* of the Post

Office Department shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any cotton warehouse, cotton ginnery, cotton mill, or other place or establishment where cotton is stored, or any owner or holder of any cotton or the agent or representative of any such owner or holder, who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any information herein provided for or shall willfully give answers that are false or shall refuse to allow agents or employees of the Department of Agriculture to examine or classify any cotton in store in any such establishment, or in the hands of any owner or holder or of the agent or representative of any such owner or holder, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $300 or more than $1,000.

SECTION 6(c) OF THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930 (46 Stat. 534; 7 U.S.C. 499f)

(c) If there appear to be, in the opinion of the Secretary, any reasonable grounds for investigating any complaint made under this section, the Secretary shall investigate such complaint and may, if in his opinion the facts warrant such action, have said complaint served by registered mail *or by certified mail* or otherwise on the person concerned and afford such person an opportunity for a hearing thereon before a duly authorized examiner of the Secretary in any place in which the said person is engaged in business: *Provided*, That in complaints wherein the amount claimed as damages does not exceed the sum of $500 a hearing need not be held and proof in support of the complaint and in support of respondent's answer may be supplied in the form of depositions or verified statements of fact.

SECTIONS 365 AND 373(a) OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED (52 Stat. 63, 65; 54 Stat. 394; 7 U.S.C. 1365, 1373)

INSTITUTION OF PROCEEDINGS

SEC. 365. If the farmer is dissatisfied with the determination of the review committee, he may, within fifteen days after a notice of such determination is mailed to him by registered mail *or by certified mail*, file a bill in equity against the review committee as defendant in the United States district court, or institute proceedings for review in any court of record of the State having general jurisdiction, sitting in the county or the district in which his farm is located, for the purpose of obtaining a review of such determination. Bond shall be given in an amount and with surety satisfactory to the court to secure the United States for the costs of the proceeding. The bill of complaint in such proceeding may be served by delivering a copy thereof to any one of the members of the review committee. Thereupon the review committee shall certify and file in the court a transcript of the record upon which the determination complained of was made, together with its findings of fact.

* * * * * * *

REPORTS AND RECORDS

SEC. 373. (a) This subsection shall apply to warehousemen, processors, and common carriers of corn, wheat, cotton, rice, peanuts, or tobacco, and all ginners of cotton, all persons engaged in the business of purchasing corn, wheat, cotton, rice, peanuts, or tobacco from producers, all persons engaged in the business of redrying, prizing, or stemming tobacco for producers, all brokers and dealers in peanuts, all agents marketing peanuts for producers, or acquiring peanuts for buyers and dealers, and all peanut growers' cooperative associations, all persons engaged in the business of cleaning, shelling, crushing, and salting of peanuts and the manufacture of peanut products, and all persons owning or operating peanut-picking or peanut-threshing machines. Any such person shall, from time to time on request of the Secretary, report to the Secretary such information and keep such records as the Secretary finds to be necessary to enable him to carry out the provisions of this title. Such information shall be reported and such records shall be kept in accordance with forms which the Secretary shall prescribe. For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, the Secretary is hereby authorized to examine such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as he has reason to believe are relevant and are within the control of such person. Any such person failing to make any report or keep any record as required by this subsection or making any false report or record shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required by this subjection within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail *or by certified mail* or by posting the same at any established place of business operated by him, or both.

SECTION 409(d) OF THE FEDERAL SEED ACT (53 Stat. 1287; 7 U.S.C. 1599)

CEASE AND DESIST PROCEEDINGS

SEC. 409. (a) * * *

* * * * * * *

(d) Complaints, orders, and other processes of the Secretary of Agriculture under this section may be served by anyone duly authorized by the Secretary of Agriculture, either (1) by delivering a copy thereof to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or (2) by leaving a copy

thereof at the principal office or place of business of such person, partnership, or corporation; or (3) by [registering and] mailing a copy thereof *by registered mail or by certified mail* addressed to such person, partnership, or corporation at his or its last known principal office or place of business. The verified return by the person so serving said complaint, order, or other process setting forth the manner of said order shall be proof of the same, and the return post-office receipt for said complaint, order, or other process [registered and] mailed *by registered mail or by certified mail* as aforesaid shall be proof of the service of the same.

SECTION 107(d) OF THE SOIL BANK ACT (70 Stat. 193; 7 U.S.C. 1831)

SUBTITLE B—CONSERVATION RESERVE PROGRAM

TERMS AND CONDITIONS

SEC. 107. (a) * * *

* * * * * * *

(d) A contract shall not be terminated under paragraph (6) of subsection (a) unless the nature of the violation is such as to defeat or substantially impair the purposes of the contract. Whenever the State committee believes that there has been a violation which would warrant termination of a contract, the producer shall be given written notice thereof by registered mail *or certified mail* or personal service, and the producer shall, if he requests such an opportunity within thirty days after the delivery or service of such notice, be given an opportunity to show cause, in an informal proceeding before the county committee under regulations promulgated by the Secretary, why the contract should not be terminated. If the producer does not request an opportunity to show cause why the contract should not be terminated within such thirty-day period, the determination of the State committee made in accordance with regulations of the Secretary shall be final and conclusive. If the producer within such thirty-day period requests an opportunity to show cause why the contract should not be terminated, the county committee, at the conclusion of the proceeding, shall submit a report, including its recommendations, to the State committee for a determination, on the basis of such report and such other information as is available to the State committee, as to whether there has been a violation which would warrant termination of the contract. The producer shall be accorded the right, in accordance with regulations promulgated by the Secretary, to appear before the State committee in connection with the State committee's determination of the issue. The producer shall be given written notice by registered mail *or certified mail* or personal service of the State committee's determination. If the producer feels aggrieved by such determination, he may obtain judicial review of such determination by filing a complaint with the United States district court for the district in which the land covered by the contract is located, within ninety days after the delivery or service of notice of such determination, requesting the court to set aside such determination. Service of process in such action shall be made in accordance with the rule for

service of process upon the United States prescribed by the Rules of Civil Procedure for the United States District Courts. The copy of the summons and complaint required to be delivered to the officer or agency whose order is being attacked shall be sent to the chairman of the State committee. The action in the United States district court shall be a trial de novo to determine whether there has been a violation which would warrant termination of the contract. If the producer does not seek judicial review of the State committee's determination within the ninety-day period allowed therefor, the State committee's determination shall be final and conclusive. The terms "county committee" and "State committee" as used herein refer to the county and State committees established under section 8 of the Soil Conservation and Domestic Allotment Act, as amended:

SECTION 301 OF THE ACT OF MARCH 9, 1933, AS AMENDED (48 Stat. 5; 12 U.S.C. 51a)

SEC. 301. Notwithstanding any other provision of law, any national banking association may, with the approval of the Comptroller of the Currency and by vote of shareholders owning a majority of the stock of such association, upon not less than five days' notice, given by registered mail *or by certified mail* pursuant to action taken by its board of directors, issue preferred stock of one or more classes, in such amount and with such par value as shall be approved by said Comptroller, and make such amendments to its articles of association as may be necessary for this purpose; but, in the case of any newly organized national banking association which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in and notice thereof, duly acknowledged before a notary public by the president, vice president, or cashier of said association, has been transmitted to the Comptroller of the Currency and his certificate obtained specifying the amount of such issue of preferred stock and his approval thereof and that the amount has been duly paid in as a part of the capital of such association; which certificate shall be deemed to be conclusive evidence that such preferred stock has been duly and validly issued.

SECTION 2(a) OF THE ACT OF AUGUST 17, 1950 (64 Stat. 456; 12 U.S.C. 214a)

CONVERSION OF NATIONAL BANK INTO AND MERGER OR CONSOLIDATION WITH STATE BANK; PROCEDURE

SEC. 2. A national banking association may, by vote of the holders of at least two-thirds of each class of its capital stock, convert into, or merge or consolidate with, a State bank in the same State in which the national banking association is located, under a State charter, in the following manner:

(a) The plan of conversion, merger, or consolidation must be approved by a majority of the entire board of directors of the national banking association. The bank shall publish notice of the time, place,

and object of the shareholders' meeting to act upon the plan, in some newspaper with general circulation in the place where the principal office of the national banking association is located, at least once a week for four consecutive weeks: *Provided*, That newspaper publication may be dispensed with entirely if waived by all the shareholders and in the case of a merger or consolidation one publication at least ten days before the meeting shall be sufficient if publication for four weeks is waived by holders of at least two-thirds of each class of capital stock and prior written consent of the Comptroller of the Currency is obtained. The national banking association shall send such notice to each shareholder of record by registered mail *or by certified mail* at least ten days prior to the meeting, which notice may be waived specifically by any shareholder.

SECTION 5(d)(1) OF THE HOME OWNERS' LOAN ACT OF 1933, AS ADDED BY SECTION 503 OF THE HOUSING ACT OF 1954 (68 Stat. 635; 12 U.S.C. 1464)

FEDERAL SAVINGS AND LOAN ASSOCIATIONS

SEC. 5. (a) * * *

* * * * * * *

(d) (1) The Board shall have power to enforce this section and rules and regulations made hereunder. In the enforcement of any provision of this section or rules and regulations made hereunder, or any other law or regulation, and in the administration of conservatorships and receiverships as provided in subsection (d) (2) hereof, the Board is authorized to act in its own name and through its own attorneys. The Board shall have power to sue and be sued, complain and defend in any court of competent jurisdiction in the United States or its territories or possessions or the Commonwealth of Puerto Rico. It shall by formal resolution state any alleged violation of law or regulation and give written notice to the association concerned of the facts alleged to be such violation, except that the appointment of a Supervisory Representative in Charge, a conservator or a receiver shall be exclusively as provided in subsection (d) (2) hereof. Such association shall have thirty days within which to correct the alleged violation of law or regulation and to perform any legal duty. If the association concerned does not comply with the law or regulation within such period, then the Board shall give such association twenty days' written notice of the charges against it and of a time and place at which the Board will conduct a hearing as to such alleged violation of duty. Such hearing shall be in the Federal judicial district of the association unless it consents to another place and shall be conducted by a hearing examiner as is provided by the Administrative Procedure Act. The Board or any member thereof or its designated representative shall have power to administer oaths and affirmations and shall have power to issue subpenas and subpenas duces tecum, and shall issue such at the request of any interested party, and the Board or any interested party may apply to the United States district court of the district where such hearing is designated for the enforcement of such subpena or subpena duces tecum and such courts shall have power to order and require compliance therewith. A record shall be made of

such hearing and any interested party shall be entitled to a copy of such record to be furnished by the Board at its reasonable cost. After such hearing and adjudication by the Board, appeals shall lie as is provided by the Administrative Procedure Act, and the review by the court shall be upon the weight of the evidence. Upon the giving of notice of alleged violation of law or regulation as herein provided, either the Board or the association affected may, within thirty days after the service of said notice, apply to the United States district court for the district where the association is located for a declaratory judgment and an injunction or other relief with respect to such controversy, and said court shall have jurisdiction to adjudicate the same as in other cases and to enforce its orders. The Board may apply to the United States district court of the district where the association affected has its home office for the enforcement of any order of the Board and such court shall have power to enforce any such order which has become final. The Board shall be subject to suit by any Federal savings and loan association with respect to any matter under this section or regulations made thereunder, or any other law or regulation, in the United States district court for the district where the home office of such association is located, and may be served by serving a copy of process on any of its agents and mailing a copy of such process by registered mail, *or by certified mail*, to the Home Loan Bank Board Washington, District of Columbia.

SECTION 402(c)(4) OF THE NATIONAL HOUSING ACT, AS AMENDED BY SECTION 501 OF THE HOUSING ACT OF 1954 (68 Stat. 633; 12 U.S.C. 1725)

CREATION OF FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

SEC. 402. (a) * * *

* * * * * * *

(c) Upon the date of enactment of this Act, the Corporation shall become a body corporate, and shall be an instrumentality of the United States, and as such shall have power—

(1) * * *

* * * * * * *

(4) To sue and be sued, complain and defend, in any court of competent jurisdiction in the United States or its Territories or possessions or the Commonwealth of Puerto Rico, and may be served by serving a copy of process on any of its agents or any agent of the Home Loan Bank Board and mailing a copy of such process by registered mail *or by certified mail* to the Corporation at Washington, District of Columbia.

SECTION 5(f) OF THE FEDERAL TRADE COMMISSION ACT, AS AMENDED (52 Stat. 113; 15 U.S.C. 45)

(f) Complaints, orders, and other processes of the Commission under this section may be served by anyone duly authorized by the Commission, either (a) by delivering a copy thereof to the person

to be served, or to a member of the partnership to be served, or the president, secretary, or other executive officer or a director of the corporation to be served; or (b) by leaving a copy thereof at the residence or the principal office or place of business of such person, partnership, or corporation; or (c) by [registering and] mailing a copy thereof *by registered mail or by certified mail* addressed to such person, partnership, or corporation at his or its residence or principal office or place of business. The verified return by the person so serving said complaint, order, or other process setting forth the manner of said service shall be proof of the same, and the return post office receipt for said complaint, order, or other process [registered and] mailed *by registered mail or by certified mail* as aforesaid shall be proof of the service of the same.

SECTIONS 8(e) AND 40(a) OF THE INVESTMENT COMPANY ACT OF 1940 (54 Stat. 805 and 842; 15 U.S.C. 80a–8 and 80a–39)

REGISTRATION OF INVESTMENT COMPANIES

SEC. 8. (a) * * *

* * * * * * *

(e) If it appears to the Commission that a registered investment company has failed to file the registration statement required by this section or a report required pursuant to section 30 (a) or (b), or has filed such a registration statement or report but omitted therefrom material facts required to be stated therein, or has filed such a registration statement or report in violation of section 34(b), the Commission shall notify such company by registered mail *or by certified mail* of the failure to file such registration statement or report, or of the respects in which such registration statement or report appears to be materially incomplete or misleading, as the case may be, and shall fix a date (in no event earlier than thirty days after the mailing of such notice) prior to which such company may file such registration statement or report or correct the same. If such registration statement or report is not filed or corrected within the time so fixed by the Commission or any extension thereof, the Commission, after appropriate notice and opportunity for hearing, and upon such conditions and with such exemptions as it deems appropriate for the protection of investors, may by order suspend the registration of such company until such statement or report is filed or corrected, or may by order revoke such registration, if the evidence establishes—

(1) that such company has failed to file a registration statement required by this section or a report required pursuant to section 30 (a) or (b), or has filed such a registration statement or report but omitted therefrom material facts required to be stated therein, or has filed such a registration statement or report in violation of section 34(b); and

(2) that such suspension or revocation is in the public interest.

* * * * * * *

ORDERS; PROCEDURE FOR ISSUANCE

SEC. 40. (a) Orders of the Commission under this title shall be issued only after appropriate notice and opportunity for hearing,

Notice to the parties to a proceeding before the Commission shall be given by personal service upon each party or by registered mail *or certified mail* or confirmed telegraphic notice to the party's last known business address. Notice to interested persons, if any, other than parties may be given in the same manner or by publication in the Federal Register.

SECTION 211(c) OF THE INVESTMENT ADVISERS ACT OF 1940 (54 Stat. 855; 15 U.S.C. 80b–11)

RULES, REGULATIONS, AND ORDERS

SEC. 211. (a) * * *

* * * * * * *

(e) Orders of the Commission under this title shall be issued only after appropriate notice and opportunity for hearing. Notice to the parties to a proceeding before the Commission shall be given by personal service upon each party or by registered mail *or certified mail* or confirmed telegraphic notice to the party's last known business address. Notice to interested persons, if any, other than parties may be given in the same manner or by publication in the Federal Register.

FIRST SENTENCE OF SECTION 5 OF THE ACT OF MARCH 29 1944 (58 Stat. 133; 16 U.S.C. 583d)

SEC. 5. Before any sustained-yield unit authorized by section 1 or section 3 of this Act shall be established, and before any cooperative agreement authorized by section 2 or section 4 of this Act shall be entered into, advance notice thereof shall be given by registered mail *or by certified mail* to each landowner whose land is proposed to be included and by publication in one or more newspapers of general circulation in the vicinity of the place where the timber is located, and the costs incident to such publication may be paid out of any funds available for the protection or management of the federally owned or administered forest land involved.

SECTION 505(g) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT (52 Stat. 1053; 21 U.S.C. 355)

(g) Orders of the Secretary issued under this section shall be served (1) in person by any officer or employee of the department designated by the Secretary or (2) by mailing the order by registered mail *or by certified mail* addressed to the applicant or respondent at his last-known address in the records of the Secretary.

SECTIONS 2284 AND 2410(b) OF TITLE 28 OF THE UNITED STATES CODE

§ 2284. THREE-JUDGE DISTRICT COURT: COMPOSITION; PROCEDURE

In any action or proceeding required by Act of Congress to be heard and determined by a district court of three judges the composition

and procedure of the court, except as otherwise provided by law, shall be as follows:

(1) The district judge to whom the application for injunction or other relief is presented shall constitute one member of such court. On the filing of the application, he shall immediately notify the chief judge of the circuit, who shall designate two other judges, at least one of whom shall be a circuit judge. Such judges shall serve as members of the court to hear and determine the action or proceeding.

(2) If the action involves the enforcement, operation or execution of State statutes or State administrative orders, at least five days notice of the hearing shall be given to the governor and attorney general of the State.

If the action involves the enforcement, operation or execution of an Act of Congress or an order of any department or agency of the United States, at least five days' notice of the hearing shall be given to the Attorney General of the United States, to the United States attorney for the district, and to such other persons as may be defendants.

Such notice shall be given by registered mail *or by certified mail* by the clerk[,] and shall be complete on the mailing thereof.

(3) In any such case in which an application for an interlocutory injunction is made, the district judge to whom the application is made may, at any time, grant a temporary restraining order to prevent irreparable damage. The order, unless previously revoked by the district judge, shall remain in force only until the hearing and determination by the full court. It shall contain a specific finding, based upon evidence submitted to such judge and identified by reference thereto. that specified irreparable damage will result if the order is not granted.

(4) In any such case the application shall be given precedence and assigned for a hearing at the earliest practicable day. Two judges must concur in granting the application.

(5) Any one of the three judges of the court may perform all functions, conduct all proceedings except the trial, and enter all orders required or permitted by the rules of civil procedure. A single judge shall not appoint a master or order a reference, or hear and determine any application for an interlocutory injunction or motion to vacate the same, or dismiss the action, or enter a summary or final judgment. The action of a single judge shall be reviewable by the full court at any time before final hearing.

A district court of three judges shall, before final hearing, stay any action pending therein to enjoin, suspend or restrain the enforcement or execution of a State statute or order thereunder, whenever it appears that a State court of competent jurisdiction has stayed proceedings under such statute or order pending the determination in such State court of an action to enforce the same. If the action in the State court is not prosecuted diligently and in good faith, the district court of three judges may vacate its stay after hearing upon ten days notice served upon the attorney general of the State.

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§ 2410. ACTIONS AFFECTING PROPERTY ON WHICH UNITED STATES HAS LIEN

(a) * * *

(b) The complaint shall set forth with particularity the nature of the interest or lien of the United States. In actions in the State courts service upon the United States shall be made by serving the process of the court with a copy of the complaint upon the United States attorney for the district in which the action is brought or upon an assistant United States attorney or clerical employee designated by the United States attorney in writing filed with the clerk of the court in which the action is brought and by sending copies of the process and complaint, by registered mail, *or by certified mail*, to the Attorney General of the United States at Washington, District of Columbia. In such actions the United States may appear and answer, plead or demur within sixty days after such service or such further time as the court may allow.

THIRD PARAGRAPH OF SECTION 17 OF THE MINERAL LANDS LEASING ACT OF FEBRUARY 25, 1920, AS AMENDED BY THE ACT OF JULY 29, 1954 (68 Stat. 584; 30 U.S.C. 226)

Upon the expiration of the initial five-year term of any noncompetitive lease maintained in accordance with applicable statutory requirements and regulations, the record titleholder thereof shall be entitled to a single extension of the lease, unless then otherwise provided by law, for such lands covered by it as are not on the expiration date of the lease withdrawn from leasing under this section. A withdrawal, however, shall not affect the right to an extension if actual drilling operations on such lands were commenced prior to such withdrawal becoming effective and were being diligently prosecuted on such expiration date. No withdrawal shall be effective within the meaning of this section until ninety days after notice thereof shall be sent by registered mail, *or by certified mail*, to each lessee to be affected by such withdrawal. A noncompetitive lease, as to lands not within the known geologic structure of a producing oil or gas field, shall be extended for a period of five years and so long thereafter as oil or gas is produced in paying quantities. A noncompetitive lease, as to lands within the known geologic structure of a producing oil or gas field, shall be extended for a period of two years and so long thereafter as oil or gas is produced in paying quantities. Any noncompetitive lease extended under this paragraph shall be subject to the rules and regulations in force at the expiration of the initial five-year term of the lease. No extension shall be granted, however, unless within a period of ninety days prior to such expiration date an application therefor is filed by the record titleholder or an assignee whose assignment has been filed for approval, or an operator whose operating agreement has been filed for approval.

SECTIONS 207(b), 207(i), AND 208(b) OF THE FEDERAL COAL MINE SAFETY ACT, AS ADDED BY THE FIRST SECTION OF THE ACT OF JULY 16, 1952 (66 Stat. 700, 702; 30 U.S.C. 477, 478)

REVIEW BY BOARD

SEC. 207. (a) * * *

(b) The operator shall be designated as the applicant in such proceeding and the application filed by him shall recite the order complained of and other facts sufficient to advise the Board of the nature of the proceeding. He may allege in such application: That danger as set out in such order does not exist at the time of the filing of such application; that violation of section 209, as set out in such order, has not occurred; that such violation has been totally or partially abated; that the period of time within which such violation should be totally abated, as fixed in the findings upon which such order was based, was not reasonable; that the area of the mine described in such order as the area affected by the violation referred to in such order is not so affected at the time of the filing of such application; or that the mine described in such order is not a gassy mine. The Director shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered mail *or by certified mail* to the Director at Washington, District of Columbia.

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(i) Each finding and order made by the Board shall be in writing. It shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon making a finding and order the Board shall cause a true copy thereof to be sent by registered mail *or by certified mail* to all parties or their attorneys of record. The Board shall cause each such finding and order to be entered on its official record, together with any written opinion prepared by any member in support of, or dissenting from, any such finding or order.

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JUDICIAL REVIEW

SEC. 208. (a) * * *

(b) The party making such appeal shall forthwith send a copy of such notice of appeal, by registered mail *or by certified mail*, to the other party and to the Board. Upon receipt of such copy of a notice of appeal the Board shall promptly certify and file in such court a complete transcript of the record upon which the order complained of was made. The costs of such transcript shall be paid by the party making the appeal.

LAST PARAGRAPH OF SECTION 7(a) OF THE ACT OF AUGUST 13, 1954 (68 Stat. 713; 30 U.S.C. 527)

Within fifteen days after the date of first publication of such notice, the person requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be mailed by registered mail *or by certified mail* addressed to each person in possession or engaged in the working of the land whose name and address is shown by an

affidavit filed as aforesaid, and to each person who may have filed, as to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 7, and shall cause a copy of such notice to be mailed by registered mail *or by certified mail* to each person whose name and address is set forth in the title or abstract company's or title abstractor's or attorney's certificate filed as aforesaid, as having an interest in the lands described in said notice under any unpatented mining claim heretofore located, such notice to be directed to such person's address as set forth in such certificate; and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

LAST PARAGRAPH OF SECTION 5(a) OF THE ACT OF JULY 23, 1955 (69 Stat. 370; 30 U.S.C. 613)

Within fifteen days after the date of first publication of such notice, the department or agency requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be mailed by registered mail *or by certified mail* addressed to each person in possession or engaged in the working of the land whose name and address is shown by an affidavit filed as aforesaid, and to each person who may have filed, as to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 5, and shall cause a copy of such notice to be mailed by registered mail *or by certified mail* to each person whose name and address is set forth in the title or abstract company's or title abstractor's or attorney's certificate filed as aforesaid, as having an interest in the lands described in said notice under any unpatented mining claim heretofore located, such notice to be directed to such person's address as set forth in such certificate; and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

SECTION 2(b) OF THE MINING CLAIMS RIGHTS RESTORATION ACT OF 1955 (69 Stat. 682; 30 U.S.C. 621)

(b) The locator of a placer claim under this Act, however, shall conduct no mining operations for a period of sixty days after the filing of a notice of location pursuant to section 4 of this Act. If the Secretary of the Interior, within sixty days from the filing of the notice of location, notifies the locator by registered mail *or certified mail* of the Secretary's intention to hold a public hearing to determine whether placer mining operations would substantially interfere with other uses of the land included within the placer claim, mining operations on that claim shall be further suspended until the Secretary has held the hearing and has issued an appropriate order. The order issued by the Secretary of the Interior shall provide for one of the following: (1) a complete prohibition of placer mining; (2) a permission to engage in placer mining upon the condition that the locator shall, following placer operations, restore the surface of the claim to the condition in which it was immediately prior to those operations; or

(3) a general permission to engage in placer mining. No order by the Secretary with respect to such operations shall be valid unless a certified copy is filed in the same State or county office in which the locator's notice of location has been filed in compliance with the United States mining laws.

The Secretary shall establish such rules and regulations as he deems desirable concerning bonds and deposits with respect to the restoration of lands to their condition prior to placer mining operations. Moneys received from any bond or deposit shall be used for the restoration of the surface of the claim involved, and any money received in excess of the amount needed for the restoration of the surface of that claim shall be refunded.

SECTION 3491 (C) AND (D) OF THE REVISED STATUTES, AS ADDED BY THE ACT OF DECEMBER 23, 1943 (57 Stat. 608, 609; 31 U.S.C. 232)

SEC. 3491 (A) * * *

* * * * * * *

(C) Whenever any such suit shall be brought by any person under clause (B) notice of the pendency of such suit shall be given to the United States by serving upon the United States attorney for the district in which such suit shall have been brought a copy of the bill of complaint and by sending, by registered mail, *or by certified mail*, to the Attorney General of the United States at Washington, District of Columbia, a copy of such bill together with a disclosure in writing of substantially all evidence and information in his possession material to the effective prosecution of such suit. The United States shall have sixty days, after service as above provided, within which to enter appearance in such suit. If the United States shall fail, or decline in writing to the court, during said period of sixty days to enter any such suit, such person may carry on such suit. If the United States within said period shall enter appearance in such suit the same shall be carried on solely by the United States. In carrying on such suit the United States shall not be bound by any action taken by the person who brought it, and may proceed in all respects as if it were instituting the suit: *Provided,* That if the United States shall fail to carry on such suit with due diligence within a period of six months from the date of its appearance therein, or within such additional time as the court after notice may allow, such suit may be carried on by the person bringing the same in accordance with clause (B) above. The court shall have no jurisdiction to proceed with any such suit brought under clause (B) or pending suit brought under section 3491 of the Revised Statutes whenever it shall be made to appear that such suit was based upon evidence or information in the possession of the United States, or any agency, officer or employee thereof, at the time such suit was brought: *Provided, however,* That no abatement shall be had as to a suit pending at the effective date of this Act if before such suit was filed such person had in his possession and voluntarily disclosed to the Attorney General substantial evidence and information which was not theretofore in the possession of the Department of Justice.

(D) In any suit whether or not on appeal pending at the effective date of this Act brought under Revised Statutes, section 3491, the court in which such suit is pending shall stay all further proceedings, and shall forthwith cause written notice, by registered mail, *or by certified mail*, to be given the Attorney General that such suit is pending, and the Attorney General shall have sixty days from the date of such notice to appear and carry on such suit in accordance with clause (C).

SECTION 19(c) AND (e) OF THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT (44 Stat. 1435; 33 U.S.C. 919)

PROCEDURE IN RESPECT OF CLAIMS

SEC. 19. (a) * * *

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(c) The deputy commissioner shall make or cause to be made such investigations as he considers necessary in respect of the claim, and upon application of any interested party shall order a hearing thereon. If a hearing on such claim is ordered the deputy commissioner shall give the claimant and other interested parties at least ten days' notice of such hearing, served personally upon the claimant and other interested parties or sent to such claimant and other interested parties by registered mail *or by certified mail*, and shall within twenty days after such hearing is had, by order, reject the claim or make an award in respect of the claim. If no hearing is ordered within twenty days after notice is given as provided in subdivision (b), the deputy commissioner shall, by order, reject the claim or make an award in respect of the claim.

* * * * * * *

(e) The order rejecting the claim or making the award (referred to in this Act as a compensation order) shall be filed in the office of the deputy commissioner, and a copy thereof shall be sent by registered mail *or by certified mail* to the claimant and to the employer at the last known address of each.

SECTIONS 784(b) AND 5226 OF TITLE 38, UNITED STATES CODE

§ 784. SUITS ON INSURANCE.

(a) * * *

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(b) No suit on yearly renewable term insurance, United States Government life insurance, or National Service Life Insurance shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made. For the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is

founded. The limitation of six years is suspended for the period elapsing between the filing in the Veterans' Administration of the claim sued upon and the denial of said claim: *Provided*, That in any case in which a claim is timely filed the claimant shall have not less than ninety days from the date of mailing of notice of denial within which to file suit. After June 28, 1936, notice of denial of the claim under a contract of insurance shall be by registered mail *or by certified mail* directed to the claimant's last address of record. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the Veterans' Administration shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitation has elapsed. No State or other statute of limitations shall be applicable to suits filed under this section.

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§ 5226. FILING OF CLAIMS FOR ASSETS.

Notwithstanding the crediting to said Fund of the assets, or proceeds thereof, of any decedent, whether upon determination by a court or the Veterans' Administration pursuant to the provisions of section 5220 of this title, any person claiming a right to such assets may within five years after the death of the decedent file a claim on behalf of himself and any others claiming with the Administrator. Upon receipt of due proof that any person was at date of death of the veteran entitled to his personal property, or a part thereof, under the laws of the State of domicile of the decedent, the Administrator may pay out of the Fund, but not to exceed the net amount credited thereto from said decedent's estate less any necessary expenses, the amount to which such person, or persons, was or were so entitled, and upon similar claim any assets of the decedent which shall not have been disposed of shall be delivered in kind to the parties legally entitled thereto. If any person so entitled is under legal disability at the date of death of such decedent, such five-year period of limitation shall run from the termination or removal of legal disability. In the event of doubt as to entitlement, the Administrator may cause administration or other appropriate proceedings to be instituted in any court having jurisdiction. In determining questions of fact or law involved in the adjudication of claims made under this section, no judgment, decree, or order entered in any action at law, suit in equity, or other legal proceeding of any character purporting to determine entitlement to said assets or any part thereof, shall be binding upon the United States or the Administrator or determinative of any fact or question involving entitlement to any such property or the proceeds thereof, or any part of the Fund, unless the Administrator has been seasonably served with notice and permitted to become a party to such suit or proceeding if he makes a request therefor within thirty days after such notice. Notice may be served in person or by registered mail *or by certified mail* upon the Administrator, or upon his authorized attorney in the State wherein the action or proceedings may be pending. Notice may be waived by the Administrator or by his authorized attorney, in which event the finding,

judgment, or decree shall have the same effect as if the Administrator were a party and served with notice. Any necessary court costs or expenses if authorized by the Administrator may be paid as are other administrative expenses of the Veterans' Administration.

SECOND PARAGRAPH OF SECTION 2 OF THE ACT OF AUGUST 24, 1912, AS AMENDED (47 Stat. 1486; 39 U.S.C. 233)

That it shall be the duty of the editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication to file with the Postmaster General and the postmaster at the office at which said publication is entered, not later than the 1st day of October of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding twelve months: *Provided*, That the provisions of this paragraph shall not apply to religious, fraternal, temperance, and scientific, or other similar publications: *Provided further*, That it shall not be necessary to include in such statement the names of persons owning less than 1 per centum of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this paragraph within ten days after notice by registered [letter] *mail or by certified mail* of such failure. That all editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked "advertisement." Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised without so marking the same, shall upon conviction in any court having jurisdiction be fined not less than $50 nor more than $500.

SECTION 205(d) OF THE SOCIAL SECURITY ACT, AS AMENDED (42 U.S.C. 405)

(d) For the purpose of any hearing, investigation, or other proceeding authorized or directed under this title, or relative to any other matter within his jurisdiction hereunder, the Secretary shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the Secretary. Such attendance of witnesses and production of evidence at the designated

place of such hearing, investigation, or other proceeding may be required from any place in the United States or in any Territory or possession thereof. Subpenas of the Secretary shall be served by anyone authorized by him (1) by delivering a copy thereof to the individual named therein, or (2) by registered mail *or by certified mail* addressed to such individual at his last dwelling place or principal place of business. A verified return by the individual so serving the subpena setting forth the manner of service, or, in the case of service by registered mail *or by certified mail*, the return post-office receipt therefor signed by the individual so served, shall be proof of service. Witnesses so subpenaed shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

SECTION 4(d) OF THE NATIONAL SCIENCE FOUNDATION ACT OF 1950, AS AMENDED (73 Stat. 467; 42 U.S.C. 1863(d))

(d) The Board shall meet annually on the third Monday in May, unless, prior to May 10 in any year, the Chairman has set the annual meeting for a day in May, other than the third Monday, and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail *or by certified mail* mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

SECTION 12(a) OF THE RAILROAD UNEMPLOYMENT INSURANCE ACT (52 Stat. 1107; 45 U.S.C. 362)

DUTIES AND POWERS OF THE BOARD

SEC. 12. (a) For the purpose of any investigation or other proceeding relative to the determination of any right to benefits, or relative to any other matter within its jurisdiction under this Act, the Board shall have the power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence, documentary or otherwise, that relates to any matter under investigation or in question, before the Board or any member, employee, or representative thereof. Any member of the Board or any of its employees or representatives designated by it may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and production of evidence may be required from any place in the United States or any Territory or possession thereof at any designated place of hearing. All subpenas may be served and returned by anyone authorized by the Board in the same manner as is now provided by law for the service and return by United States marshals of subpenas in suits in equity. Such service may also be made by registered mail *or by certified mail* and in such case the return post-office receipt shall be proof of service. Witnesses summoned in accordance with this subsection shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

SECTION 19a(h) OF THE ACT OF FEBRUARY 4, 1887, AS ADDED BY THE ACT OF MARCH 1, 1913 (37 Stat. 702; 49 U.S.C. 19a(h))

(h) Whenever the Commission shall have completed the tentative valuation of the property of any common carrier, as herein directed, and before such valuation shall become final, the Commission shall give notice by registered [letter] *mail or by certified mail* to the said carrier, the Attorney General of the United States, the governor of any State in which the property so valued is located, and to such additional parties as the Commission may prescribe, stating the valuation placed upon the several classes of property of said carrier, and shall allow thirty days in which to file a protest of the same with the Commission. If no protest is filed within thirty days, said valuation shall become final as of the date thereof.

SECTIONS 105(a) AND 107(e) OF THE RENEGOTIATION ACT OF 1951 (65 Stat. 12, 20; 50 U.S.C. App. 1215, 1217)

SEC. 105. RENEGOTIATION PROCEEDINGS.

(a) PROCEEDINGS BEFORE THE BOARD.—Renegotiation proceedings shall be commenced by the mailing of notice to that effect, in such form as may be prescribed by regulation, by registered mail *or by certified mail* to the contractor or subcontractor. The Board shall endeavor to make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits received or accrued, and with respect to such other matters relating thereto as the Board deems advisable. Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued. If the Board does not make an agreement with respect to the elimination of excessive profits received or accrued, it shall issue and enter an order determining the amount, if any, of such excessive profits, and forthwith give notice thereof by registered mail *or by certified mail* to the contractor or subcontractor. In the absence of the filing of a petition with The Tax Court of the United States under the provisions of and within the time limit prescribed in section 108, such order shall be final and conclusive and shall not be subject to review or redetermination by any court or other agency. The Board shall exercise its powers with respect to the aggregate of the amounts received or accrued during the fiscal year (or such other period as may be fixed by mutual agreement) by a contractor or subcontractor under contracts with the Departments and subcontracts, and not separately with respect to amounts received or accrued under separate contracts with the Departments or subcontracts, except that the Board may exercise such powers separately with respect to amounts received or accrued by the contractor or subcontractor under any one or more separate contracts with the Departments or subcontracts at the request of the contractor or subcontractor. By agreement with any contractor or subcontractor, and pursuant to regulations promulgated by it, the Board may in its discretion conduct renegotiation on a consolidated basis in order properly to reflect excessive profits of two or more related contractors or subcontractors. Renegotiation shall

be conducted on a consolidated basis with a parent and its subsidiary corporations which constitute an affiliated group under section 141(d) of the Internal Revenue Code if all of the corporations included in such affiliated group request renegotiation on such basis and consent to such regulations as the Board shall prescribe with respect to (1) the determination and elimination of excessive profits of such affiliated group, and (2) the determination of the amount of the excessive profits of such affiliated group allocable, for the purposes of section 3806 of the Internal Revenue Code, to each corporation included in such affiliated group. Whenever the Board makes a determination with respect to the amount of excessive profits, and such determination is made by order, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statement shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

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SEC. 107. RENEGOTIATION BOARD.

(a) * * *

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(e) ORGANIZATION AND OPERATION OF BOARD.—The Chairman of the Board may from time to time divide the Board into divisions of one or more members, assign the members of the Board thereto, and in case of a division of more than one member, designate the chief thereof. The Board may also, by regulations or otherwise, determine the character of cases to be conducted initially by the Board through an officer or officers of, or utilized by, the Board, the character of cases to be conducted initially by the various agencies of the Government authorized to exercise powers of the Board pursuant to subsection (d) of this section, the character of cases to be conducted initially by the various divisions of the Board, and the character of cases to be conducted initially by the Board itself. The Board may review any determination in any case not initially conducted by it, on its own motion or, in its discretion, at the request of any contractor or subcontractor aggrieved thereby. Unless the Board upon its own motion initiates a review of such determination within ninety days from the date of such determination, or at the request of the contractor or subcontractor made within ninety days from the date of such determination initiates a review of such determination within ninety days from the date of such request, such determination shall be deemed the determination of the Board. If such determination was made by an order with respect to which notice thereof was given by registered mail *or by certified mail* pursuant to section 105(a), the Board shall give notice by registered mail *or by certified mail* to the contractor or subcontractor of its decision not to review the case. If the Board reviews any determination in any case not initially conducted by it and does not make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits, it shall issue and enter an order under section 105(a) determining the amount, if any, of excessive profits, and forthwith give notice thereof by registered mail *or by certified mail* to the contractor or subcontractor. The amount

of excessive profits so determined upon review may be less than, equal to, or greater than, that determined by the agency of the Government whose action is so reviewed.

SECTION 9(b) OF THE PROFESSIONAL ENGINEERS' REGISTRATION ACT (64 Stat. 862; D.C. Code, sec. 2–1809(b))

(b) The Board shall, at least thirty days prior to the date set for the hearing, notify the accused in writing, of any charges made, and shall afford him an opportunity to be heard in person or by counsel in reference thereto. Such notice may be served by its delivery personally to the accused licensee by the United States marshal in the manner preseribed for service of original process in the United States District Court for the District of Columbia, or by mailing it by registered mail *or by certified mail* with return receipt demanded, to the place of business last theretofore specified by the accused in his last notification to the Board. At the time and place fixed in the notice, the Board shall proceed to hearing of the charges and both the accused and the complainant shall be accorded ample opportunity to present in person or by counsel, such testimony, evidence, and argument as may be pertinent to the charges or to any defense thereto. The Board may continue such hearing from time to time and shall give notice in writing to all parties in interest of the date and hour to which the hearing has been continued, and the place at which it is to be held.

SECTION 10 OF THE ACT OF MARCH 19, 1906, AS AMENDED (48 Stat. 845; D.C. Code, sec. 5–310)

Sec. 10. Such notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or if no such office can be found in said District by reasonable search if forwarded by registered mail *or by certified mail* to the last-known address of the person to be notified and not returned by the post-office authorities, or if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on ten consecutive days in a daily newspaper published in the District of Columbia, or if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided, or if delivered to the agent, trustee, executor, or other legal representative of the estate of such person. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal

officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia: *Provided*, That in case of failure or refusal of the owner entitled to the beneficial use, rental, or control of any buildings specified in this Act, to comply with the requirements of the notice provided for in section 9, the Commissioners are hereby empowered and it is their duty to cause such erection of fire escapes and other appliances mentioned in the notice provided for, and they are hereby authorized to assess the costs thereof as a tax against the buildings on which they are erected and the ground on which the same stands, and to issue tax-lien certificates against such building and grounds for the amount of such assessments, bearing interest at the rate of 10 per centum per annum, which certificates may be turned over by the Commissioners to the contractor for doing the work.

SECTION 3 OF THE ACT OF APRIL 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315)

SEC. 3. That for the purposes of this Act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left at the usual residence or place of business of the person to be notified, with a person of suitable age and discretion then resident therein; or (b) if no such residence or place of business can be found in said District by reasonable search, if left with any person of suitable age and discretion employed therein at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or, (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail *or by certified mail* to the last known address of the person to be notified and not returned by the post-office authorities; or, (d) if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or, (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact can not be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this Act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the place of business of such agent in the District of Columbia. Every notice

aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

SECTION 5 OF THE ACT OF DECEMBER 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321)

SEC. 5. Any notice required by this Act shall be deemed to have been served if delivered to the person to be notified or left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or, if no such residence or place of business can be found in said District of Columbia by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or, if no such office can be found in said District, by reasonable search, if forwarded by registered mail *or by certified mail* to the last-known address of the person to be notified and not returned by the post-office authorities, or, if no address be known or can by reasonable diligence be ascertained, or, if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on ten consecutive days in a daily newspaper published in the District of Columbia, or, if by reason of an outstanding unrecorded transfer of title, the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore provided or delivered to the agent, trustee, executor, or other legal representative of the estate of such person. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the services of notices on natural persons holding property in their own right, or if no such officer can be found in said District by reasonable search, then by publication for ten consecutive days in a daily newspaper published in the District of Columbia, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia, or if published on ten consecutive days in a daily newspaper published in the District of Columbia.

ACT OF MAY 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221)

AN ACT To provide for notice to owners of land assessed for benefits by the verdict of condemnation juries in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where in any condemna-

tion proceedings instituted by the Commissioners of the District of Columbia in accordance with the provisions of subchapter 1 of chapter 15, or in accordance with the provisions of chapter 55 of the Code of Law for the District of Columbia, the jury of condemnation shall assess benefits against any land or parcel of land no part of which was taken by the condemnation proceedings, and the owner of the land or parcel of land so assessed for benefits was not served with notice of the condemnation proceedings, notice of such assessment for benefits shall be given by the Commissioners of the District of Columbia by registered [letter] *mail or by certified mail*, mailed to the last known address of the person listed on the records of the assessor of the District of Columbia as the owner of the land or parcel of land so assessed, and, in addition thereto, the court shall give public notice of the land or parcels of land assessed for benefits, no part of which was taken by the condemnation proceedings, by advertisement once in each of three daily newspapers published in the District of Columbia showing the amount assessed against each such piece or parcel of land and stating the time within which interested parties may file with the court any objections or exceptions they may have to the verdict. The mailing by registered [letter] *mail or by certified mail* and the notice by publication herein provided for shall be sufficient notice to the owner of any land or parcel of land assessed for benefits as aforesaid. Nothing herein contained shall be considered to abrogate or nullify the option conferred upon the Commissioners of the District of Columbia by the Act of Congress approved May 28, 1926, entitled "An Act to provide for the condemnation of land for the opening, extension, widening, or straightening of streets, avenues, roads, or highways in accordance with the plan of the permanent system of highways for the District of Columbia, and for other purposes."

Approved, May 29, 1928.

SECTION 5 OF THE ACT OF MARCH 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805)

SEC. 5. (a) Actions shall be commenced in said branch by the filing of a statement of claim, in concise form and free of technicalities. The plaintiff or his agent shall verify the statement of claim by oath or affirmation in the form herein provided, or its equivalent, and shall affix his signature thereto. The clerk of said branch shall, at the request of any individual, prepare the statement of claim and other papers required to be filed in an action in this branch, but his services shall not be available to any corporation, partnership, or association in the preparation of such statements or other papers. A copy of the statement of claim and verification shall be made a part of the notice to be served upon the defendant named therein. The mode of service shall be by the United States marshal, as provided by law; or by registered mail *or by certified mail* with return receipts; or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose.

(b) When notice is to be served by registered mail *or by certified mail*, the clerk shall enclose a copy of the statement of claim, verification, and notice in an envelope addressed to the defendant, prepay the postage with funds obtained from plaintiff, and mail the same forthwith, noting on the records the day and hour of mailing. When

such receipt is returned, the clerk shall attach the same to the original statement of claim, and it shall constitute prima-facie evidence of service upon the defendant.

(c) When served by a private individual, as above provided, he shall make proof of service by affidavit before the clerk, showing the time and place of such service.

(d) When served by the marshal, or by registered mail *or by certified mail*, the actual cost of service shall be taxable as costs. When served by an individual, as above provided, the cost of service, if any, shall not be taxable as costs.

(e) The statement of claim, verification, and notice shall be in the following or equivalent form, and shall be in lieu of any forms now employed and of any form of summons now provided by law:

MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA

SMALL CLAIMS AND CONCILIATION BRANCH

(Location of room in courthouse) (Address of court)

WASHINGTON, D.C.

_____
Plaintiff

_____
Address

vs.

_____
Defendant

No._____

STATEMENT OF CLAIM

(Here the plaintiff, or at his request the clerk, will insert a statement of the plaintiff's claim, and the original, to be filed with the clerk, may, if action is on a contract, express or implied, be verified by the plaintiff or his agent, as follows:)

DISTRICT OF COLUMBIA, *ss:*

_____ being first duly sworn on oath says the foregoing is a just and true statement of the amount owing by defendant to plaintiff, exclusive of all set-offs and just grounds of defense.

_____
Plaintiff (or agent)

Subscribed and sworn to before me this ____ day of_____, 19____.

_____
Clerk (or notary public)

NOTICE

To: _____
Defendant

_____
Home address

_____
Business address

You are hereby notified that _____ has made a claim and is requesting judgment against you in the sum of _____ dollars ($_____), as shown by the foregoing statement. The court will hold a hearing upon this claim on _____ at _____. m. in the small claims and conciliation branch, (address of court).

You are required to be present at the hearing in order to avoid a judgment by default.

If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them with you at the time of the hearing.

If you wish to have witnesses summoned, see the clerk at once for assistance.

If you admit the claim, but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court.

You may come with or without an attorney.

[SEAL]

_____,
Clerk of the small claims and conciliation branch, municipal court.

(f) The foregoing verification shall entitle the plaintiff to a judgment by default, without further proof, upon failure of defendant to appear, when the claim of the plaintiff is for a liquidated amount; when the amount is unliquidated, plaintiff shall be required to present proof of his claim.

(g) The clerk shall furnish the plaintiff with a memorandum of the day and hour set for the hearing, which time shall be not less than five nor more than fifteen days from the date of the filing of the action. All actions filed in this branch shall be made returnable herein.

SECTION 2 OF THE ACT OF APRIL 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613)

SEC. 2. The Commissioners of the District of Columbia or agencies of the United States authorized by law to acquire real estate are further authorized, upon completion of public improvements, to subdivide, and sell at public or private sale, or exchange, any such excess land, and to carry out such purpose or purposes, to convey any lands acquired in excess of that actually needed and which is not essential to the usefulness of such public works, with such reservations concerning the future use and occupation of such real estate as may in their discretion be necessary to protect such public improvements; and any and all moneys received from any sale or transfer of land in accordance with the provisions of this Act shall be covered into the Treasury of the United States, and where the property sold was acquired under an appropriation authorized for the use of the District of Columbia, any and all moneys received from such sale shall be deposited in the Treasury to the credit of the revenues of the District of Columbia: *Provided*, That in the event of sale as herein authorized, notice of not less than twenty days before such sale shall be published in a daily newspaper published in the District of Columbia, and notice by registered mail *or by certified mail* before such sale be mailed to the last known address of the persons listed on the records of the assessor of the District of Columbia as the owners of the land abutting the land to be sold and sold at not less than the fair market value at the time sold as determined by appraisement of the assessor of the District of Columbia: *Provided, however*, That whenever the authorities of the United States or the District of Columbia having jurisdiction over such acquired land, or rights or easements, shall elect to retain any or all of the same for use of the United States or the District of Columbia, the said authorities are authorized to use said land, rights, or easements for park, playground, highway, or alley purposes, or for any other lawful purpose which the said authorities shall deem advantageous or in the public interest.

FIRST PARAGRAPH OF SECTION 24 OF THE LIFE INSURANCE ACT (48 Stat. 1137; D.C. Code, sec. 35–423)

SEC. 24. ATTORNEY FOR SERVICE OF PROCESS.—Every domestic company not having its home office in the District and every foreign

or alien company now or hereafter transacting business in the District, and every foreign or alien company now or hereafter soliciting, selling, or writing insurance on any resident of the District, through the medium of the United States mails, shall file with the Superintendent a duly executed instrument appointing and constituting him and his successors the true and lawful attorney of such company upon whom all lawful process in any action or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon its said attorney, as herein provided, shall be of the same force and validity as if served upon the company and the authority thereof shall continue in force irrevocably so long as any liability of the company in the District shall remain outstanding. Such process shall be served by leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the principal. The Superintendent shall forthwith forward such process by mail to the company, or, in the case of an alien company, to the resident manager or last appointed general agent of the company in the United States. The deposit, by the Superintendent or his deputy, of such process sent by registered mail *or by certified mail* in a sealed envelope, postage prepaid, in the United States mail and service of such process, shall not be effectual until the same has been so mailed and received by the company and [registered receipt] *the return receipt for such registered or certified mail* shall be prima facie evidence of the notice of service to a company, or to the resident manager in the case of an alien company.

SECTION 23(b) OF THE FIRE AND CASUALTY ACT (54 Stat. 1075; D.C. Code, sec. 35–1327(b))

(b) ATTORNEY FOR SERVICES OF PROCESS.—Every foreign or alien company now or hereafter authorized to transact business in the District shall file with the Superintendent a duly executed instrument appointing and constituting him and his successors true and lawful attorney for such company, upon whom all lawful process in any action or legal proceeding against it in the District may be served, and therein shall agree that any lawful process against it, which may be served upon its said attorney as herein provided, shall be of the same force and validity as if served upon the company, and that the authority thereof shall continue in force irrevocably so long as any liability of the company in the District shall remain outstanding. Such process shall be served by delivering to and leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the company. The Superintendent shall forthwith forward such process by prepaid registered mail *or by certified mail* to the company, or, in the case of an alien company, to the United States manager or last appointed United States general agent of the company. The registry receipt evidencing the deposit by the Superintendent, or his deputy, of such process, in the United States mails in the manner herein prescribed, shall be prima facie evidence of the completion of such service. Failure of any such company to file such an instrument, or failure on the part of any such company to authorize such filing, shall not invalidate any service

made by serving the Superintendent. By accepting a certificate of authority to transact business in the District, every such company shall be held to have appointed the Superintendent its true and lawful attorney. Any such company transacting business in the District without designating an attorney for service of process as herein provided shall, upon information filed by the corporation counsel of the District in the police court of the District, be fined upon conviction not less than $10 nor more than $500 for each day during which the company shall have operated in violation of this section.

SECTIONS 9 AND 10 OF THE ACT OF AUGUST 25, 1937 (50 Stat. 794, 795; D.C. Code, secs. 45–1409 and 1410)

PROVISION FOR HEARING BEFORE APPLICATION IS REFUSED OR LICENSE SUSPENDED OR REVOKED

SEC. 9. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a public hearing, and at least ten days prior to the date set for the hearing it shall notify the applicant or licensee in writing of any charges made and shall afford said applicant or licensee an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of same personally to the applicant or licensee or by mailing same by registered mail *or by certified mail* to the last-known business address of such applicant or licensee. If said applicant or licensee be a salesman the Commission shall also notify the broker employing him, or whose employ he is about to enter, by mailing notice by registered mail *or by certified mail* to the broker's last-known address. The hearing on such charges shall be at such time and place as the Commission shall prescribe. The Commission shall have the power to issue subpenas or take testimony of any person by deposition in the same manner as prescribed by law in judicial procedure in the District Court of the United States for the District of Columbia in civil cases. It shall also have the power to require the production of books, records, papers, and documents by subpena or otherwise. Any party to any hearing before the Commission shall have the right to the attendance of witnesses in his behalf at such hearing upon making request therefor to the Commission and designating the person or persons sought to be subpenaed. If the Commission shall determine that any applicant is not qualified to receive a license, a license shall not be granted to said applicant, and if the Commission shall determine that any licensee is guilty of a violation of any of the provisions of this Act, his or its licenses shall be suspended or revoked. All evidence before and findings of fact made by the Commission and questions of law involved in any final decision or determination of the Commission shall be subject to review by the District Court of the United States for the District of Columbia upon a writ of certiorari, mandamus, appeal, or by any other method permissible under the rules and practices of said court or the laws of the District of Columbia, and the said court may make such further orders with respect thereto as justice may require: *Provided, however,* That application is made by the aggrieved party to the court within

thirty days after any determination by the Commission or within sixty days after formal request shall be made upon it for action. Such application shall operate as a stay of any action or finding of the Commission revoking or suspending a license, and until final decision by the District Court of the United States for the District of Columbia such licensee shall have the right to continue in business.

An appeal may be taken from the judgment of the said court on any such appeal on the same terms and conditions as an appeal is taken in civil actions.

Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes, upon the payment to the Commission of such reasonable fee as it shall, by general rule or regulation, prescribe.

NONRESIDENT BROKERS AND SALESMEN

SEC. 10. A nonresident of the District of Columbia may become a real-estate broker or a real-estate salesman in the District of Columbia by conforming to all of the conditions of this Act, except that the application of such person for a license need not be accompanied by the recommendation of real-estate owners in the District of Columbia prescribed in paragraph 2 of section 5 of this Act, but in lieu thereof the Commission shall require the filing of like recommendations by similarly qualified real-estate owners of property in the State, Territory, or county of such applicant's residence, and with the further exception that a nonresident of the District of Columbia need not maintain a place of business within the District of Columbia if he is licensed in and maintains a place of business in the State in which he resides.

(2) The Commission may recognize, in lieu of the recommendation and statements otherwise required by this Act to accompany an application for a license, the valid and existing license issued to a nonresident to act as a real-estate broker or salesman by any State having a law for the licensing of such brokers and salesmen similar to this Act, upon payment of the license fee prescribed by this Act and the filing by the applicant with the Commission of a duly authenticated copy of applicant's license issued by such State: *Provided, however*, That every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper courts of the District of Columbia by the service of any process or pleadings authorized by the laws of the United States applying to the District of Columbia on the secretary of the Commission, said consent stipulating and agreeing that such service of such process or pleadings on said secretary shall be taken and held in all courts to be as valid and binding as if due or personal service had been made upon said applicant in the District of Columbia. Said instrument containing such consent shall be duly acknowledged and if made by a corporation shall be authenticated by the seal thereof. All such applications, except from individuals, shall be accompanied by a duly certified copy of the resolution of the proper officers or managing board, authorizing the proper officer to execute the same. In case any process or pleadings mentioned in the Act are served upon the secretary of the Commission, it shall be by duplicate copies, one of which shall be filed in the office of the

Commission and the other immediately forwarded by registered mail *or by certified mail* to the residence address given by the applicant against which said process or pleadings are directed: *And provided further*, That every nonresident of the District of Columbia shall file a bond in form and contents the same as is required of applicants under section 5 of this Act.

FIRST PROVISO IN SECTION 3 OF THE ACT OF FEBRUARY 28, 1898, AS ADDED BY THE ACT OF FEBRUARY 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003)

SEC. 3. * * * *Provided*, That no deed shall be issued unless application therefor be made within five years from the last day of sale, and if no such application be made then the owner of any property sold as aforesaid, or any other person having an interest therein at the time of redemption, may redeem the property by paying to the collector of taxes for the legal holder of the certificate the amount for which it was sold at such sale, exclusive of surplus, plus interest thereon for the first two years after the date of such certificate of sale at the rate hereinabove provided, and for three years thereafter at the rate of 6 per centum per annum; that when the said property is redeemed as aforesaid, the collector of taxes shall, within five days thereafter notify the owner of record of such tax sale certificate at his last known address, by registered mail *or by certified mail*, of the redemption of such certificate; that within five years from the time that payment has been made to the collector of taxes to redeem such tax sale certificate, the owner thereof may apply for, and, upon the surrender of the certificate, shall receive from the District of Columbia the payment made as hereinbefore prescribed; that upon the failure of the owner of such tax sale certificate to apply within the period of five years, as hereinbefore prescribed, such money shall be forfeited to the District of Columbia, and be deposited by the collector of taxes in the Treasury of the United States to the credit of the general revenues of the District of Columbia * * *.

SECTION 2 OF THE ACT OF MARCH 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012)

SEC. 2. That before any such action shall be instituted, the aforesaid Commissioners shall cause notice to be given in the name appearing upon the records of the assessor as the owner of such property, by registered mail *or by certified mail* directed to the last known address of such person, and by publication once a week for three successive weeks in some daily newspaper published and circulated generally in the District of Columbia, against said person and "all other persons having or claiming to have any right, title, or interest in or to the real estate proposed to be proceeded against, their heirs, devisees, executors, administrators, and assigns", by such designation, to appear before them on a day certain, which day shall be at least ten days after the last publication of said notice, and show cause, if any they have, why the said real estate should not be proceeded against. For the purpose of the proceedings herein provided for, the person appearing

by the assessor's records, at the time of the first publication of notice, as the owner of such property, and any other persons who may appear in response to the publication aforesaid and claim to have an interest in such property, shall be deemed proper parties defendant in any such proceedings. Upon the filing of the petition aforesaid, the court shall enter an order directed to the person or persons named as defendants therein and "to all other persons having or claiming to have any right, title, or interest in the real estate proposed to be sold, their heirs, devisees, executors, administrators, and assigns", by such designation, directing them to appear on a day certain, which day shall be not less than thirty days after the date of the last publication of said order, and show cause, if any they have, why said real estate should not be proceeded against and sold. The said order shall be published once a week for three successive weeks in some daily newspaper published and circulated generally in the District of Columbia, and such publication shall be considered as sufficient service upon such person or persons as cannot be found by the marshal within the District of Columbia or who are nonresident or unknown, their heirs, devisees, executors, administrators, and assigns; and the proceedings or sale of such real estate shall not be rendered invalid if the true owner or owners or any other person or persons having any right, title, or interest in said real estate shall not be included as a party to the suit, if it shall appear that the publication herein provided for shall have been duly made.

SECTION 5 OF TITLE XII OF THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d)

Sec. 5. Determination and Assessment of Deficiency.—If a deficiency in tax is determined by the Assessor, the taxpayer shall be notified thereof and given a period of not less than thirty days, after such notice is sent by registered mail *or by certified mail*, in which to file a protest and show cause or reason why the deficiency should not be paid. Opportunity for hearing shall be granted by the Assessor, and a final decision thereon shall be made as quickly as practicable.

SECTION 3(c) OF THE ACT OF APRIL 23, 1924, AS ADDED BY SECTION 3 OF THE ACT OF AUGUST 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903)

(c) If any importer fails, refuses, or neglects to file the monthly report within the time required by section 4, or to pay the tax within the time required by section 6, there shall be added to such tax an amount equal to the sum of 20 per centum of the amount of such tax, and the assessor shall promptly notify the importer and the bonding company by notice sent by registered mail *or by certified mail* to such importer requiring him to show cause why the license should not be revoked. If in the opinion of the assessor the importer fails within ten days after the mailing of such notice to show that failure to file the monthly report or to pay the tax as the case may be within

the time required was due to accident or justifiable oversight, the assessor shall forthwith revoke such license. Any importer whose license has been revoked shall not be issued another license for twelve months following the date of said revocation.

SECTION 14(a) OF TITLE IX OF THE DISTRICT OF COLUMBIA REVENUE ACT OF 1937 AS ADDED BY SECTION 4 OF THE ACT OF JULY 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413(a))

SEC. 14. (a) Where there has been an overpayment of any tax, the amount of such overpayment shall be refunded to the taxpayer. No such refund shall be allowed after two years from the date the tax is paid unless before the expiration of such period a claim therefor is filed by the taxpayer. The amount of refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim, or if no claim is filed, then during the two years immediately preceding the allowance of the refund. Every claim for refund must be in writing, under oath, must state the specific grounds upon which the claim is founded and must be filed with the Assessor. If the Assessor disallows all or any part of the claim for refund, he shall send to the taxpayer by registered mail *or by certified mail* a notice of such disallowance. Within ninety days after the mailing of the notice of disallowance, if the claim is acted upon within six months after the filing thereof, or within ninety days after the termination of such six months' period, if the claim is not acted upon within such period, the taxpayer may appeal to the Board, in the same manner and to the same extent as set forth in sections 3 and 4 of this title: *Provided*, That this subsection shall not apply to the taxes imposed by title II, District of Columbia Revenue Act of 1939, as amended; by the District of Columbia Income and Franchise Tax Act of 1947, as amended; or by titles I and II, District of Columbia Revenue Act of 1949, refunds of which are otherwise provided for by law; and that it shall not apply to the real-estate tax.

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Union Calendar No. 645

86TH CONGRESS
2D SESSION

H. R. 10996

[Report No. 1492]

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1960

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

APRIL 12, 1960

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12(b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6(b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or

by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail"

and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2 (a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(12) Section 402(c)(4) of the National Housing Act, as amended by section 501 of the Housing Act of 1954 (68 Stat. 633; 12 U.S.C. 1725), is amended by inserting "or by certified mail" immediately following "registered mail".

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(18) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1053; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(19) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following:

"Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(20) The second sentence of section 2410(b) of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(21) The third sentence in the third paragraph of section 17 of the Mineral Lands Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(22) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U. S. C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

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(26) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(27) Section 2 (b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 682; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

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inserting in lieu thereof "by registered mail or by certified mail".

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1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

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(43) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

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(45) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking out "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(46) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(47) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) The fourth sentence in the first paragraph of section 24 of the Life Insurance Act (48 Stat. 1137; D.C. Code, sec. 35–423) is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(49) The third sentence of section 23 (b) of the Fire

and Casualty Act (54 Stat. 1075; D.C. Code, sec. 35–1327 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947

(61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3(c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14(a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413(a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

Union Calendar No. 645

86TH CONGRESS
2D SESSION

H. R. 10996

[Report No. 1492]

A BILL

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

By Mr. MURRAY

MARCH 9, 1960

Referred to the Committee on Post Office and Civil Service

APRIL 12, 1960

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

96601 '78 '24

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued April 20, 1960
For actions of April 19, 1960
86th-2d, No. 71

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HIGHLIGHTS: House agreed to conference report on special milk bill. House debated independent offices appropriation bill.

HOUSE

1. SPECIAL MILK PROGRAM. Agreed to the conference report on H. R. 9331, the special milk bill (p. 7622). This bill will now be sent to the President. See Digest 69 for a summary of the provisions of the bill as agreed to by both Houses.

2. INDEPENDENT OFFICES APPROPRIATION BILL, 1961. Began debate on this bill, H. R. 11776 (pp. 7626-63). See Digest 70 for items of interest to this Department.

3. PERSONNEL, AGRICULTURAL ATTACHES. Passed over, at the request of Rep. Gross, H. R. 8074, to permit the assignment of agricultural attaches to positions in the U. S. for a maximum of 4 years without reduction in grade. p. 7610

4. FOOD ADDITIVES. Passed as reported H. R. 7847, to make the judicial review provisions of the Federal Aviation Act of 1958 and the Food Additives Amendment of 1958 subject to the uniform provisions of Public Law 85-791 relating to court review of Government agency orders. p. 7612

   Passed over, at the request of Rep. McFall, H. R. 7480, to amend the Federal Food, Drug, and Cosmetic Act so as to provide that the term "chemical

preservatives" shall not apply to a pesticide chemical when used in or on a raw agricultural commodity produced from the soil, and to require that shipping containers for raw agricultural commodities be labeled to indicate by name or function the presence of any pesticide chemical that had been applied after harvest. p. 7615

5. PROPERTY. Passed without amendment H. R. 9983, to extend for two years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments. p. 7612

6. REPORTS. Passed as reported S. 899, to provide for the discontinuance of certain reports now required by law to be submitted to Congress, including several reports of this Department. pp. 7612-5

7. POSTAL SERVICE. Passed without amendment H. R. 10996, to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail. pp. 7619-20

8. LANDS; FORESTRY. The Agriculture Committee reported with amendment H. R. 9818 to provide for the conveyance of a tract of forest land to Florida (H. Rept. 1522). p. 7708

9. MINERALS; LANDS. The Agriculture Committee reported without amendment H. R. 8740, to provide for the leasing of oil and gas interests in certain U. S. lands in Texas (H. Rept. 1523). p. 7708

10. ATOMIC ENERGY; ELECTRIFICATION. The Joint Atomic Energy Committee reported without amendment H. R. 11713, to authorize appropriations for the Atomic Energy Commission, including reactor development, biology and medicine, cooperative power reactor demonstration program, and design and engineering studies for food irradiation and power reactor of steam-cooler type (H. Rept. 1525). p. 7708

SENATE

11. GRAPES AND PLUMS. The Interstate and Foreign Commerce Committee reported with amendments S. 1857, to establish minimum quality requirements for exported grapes and plums (S. Rept. 1274). p. 7538

12. ATOMIC ENERGY. The Joint Committee on Atomic Energy reported an original bill, S. 3387, to authorize appropriations for the Atomic Energy Commission (S. Rept. 1277). p. 7538

13. WILDLIFE. The Interstate and Foreign Commerce Committee voted to report (but did not actually report) S. 1781, to provide for cooperative unit programs of research, education, and demonstration of fish and wildlife resources between the Federal Government, colleges and universities, the States and Territories, and private organizations. p. D316

Sen. Bartlett criticized the Secretary of the Interior for issuing regulations relating to fishing in Alaska which he could not have issued "prior to statehood" and which the Senator feels are discriminatory. pp. 7565-71

14. INTEREST RATE. Sen. Symington inserted an article dealing with the political implications in the success of the Treasury to sell a recent bond issue at below the interest-rate ceiling on long-term Government securities. p. 7557

Mr. PORTER. Only in the event that he thought it was needed to protect the postal service. However, we are assured, according to our hearings, that this would be a very unusual event.

Mr. ROAGE. Does it allow the Postmaster General to charge me a fee in the event somebody sent me some mail that I did not want and which did not have sufficient postage on it?

Mr. PORTER. This is already in the law. This does not change that situation, as I understand it.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of the first section of the Act entitled "An Act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes", approved April 9, 1958 (72 Stat. 83; 39 U.S.C. 272a(b)), is amended to read as follows:

"(b) The Postmaster General shall prescribe by regulation from time to time the charges to be collected on delivery for any matter mailed without prepayment of any lawfully required postage or without prepayment of the full amount of the lawfully required postage. The Postmaster General may waive the collection of any charges when he deems such waiver to be in the best interest of the Government."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF CERTIFIED MAIL BY GOVERNMENT AGENCIES

The Clerk called the bill (H.R. 10996) to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12(b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6(b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2(a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

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(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax of 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3(c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14(a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413(a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUDICIAL OFFICER FOR THE POST OFFICE DEPARTMENT

The Clerk called the bill (H.R. 11516) to create a judicial officer for the Post Office Department.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HAYS. Reserving the right to object, Mr. Speaker, I should like someone to tell us what this bill does.

Mrs. GRANAHAN. There is no money involved in the creation of this judicial officer because the Department already has such an officer. The only thing this bill does is expedite the examining and the conviction on charges of using the mails of people sending out pornographic material. There is a person already in that position, although he is not a permanent fixture.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Post Office Department a judicial officer, who shall be appointed by the Postmaster General and who shall perform such quasi-judicial duties as the Postmaster General may designate. This officer shall be the agency for the purposes of the requirements of the Administrative Procedure Act, as amended (5 U.S.C. 1001 and the following), to the extent that functions are delegated to him by the Postmaster General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY TO HIGHLAND FALLS, N.Y.

The Clerk called the bill (H.R. 6470) to provide for the conveyance of certain real property of the United States to the village of Highland Falls, N.Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army shall convey to the village of Highland Falls, New York, all right, title, and interest of the United States in and to the real property described in section 2 of this Act, together with the right-of-way described in such section 2, to be used by such village for cemetery purposes.

SEC. 2. The real property and the right-of-way referred to in the first section of this Act are more particularly described as follows:

Beginning at the southwesterly corner in a stone wall, said point being south 12 degrees 49 minutes 48 seconds east 49.34 feet along a stone wall from cannon numbered 33 which was formerly the common corner of the patent to John Moore; the lands of Grover Cox; and the lands of Lena Adolph, thence passing through the lands formerly of Lena Adolph the following courses and distances: north 39 degrees 29 minutes 07 seconds east, 668.12 feet; south 50 degrees 30 minutes 53 seconds east, 486.57 feet; south 39 degrees 29 minutes 07 seconds west, 716.00 feet to a point in the northerly line of the Sacred Heart Catholic Cemetery, thence along the northerly boundary of said cemetery and formerly the southerly line of Lena Adolph the following courses and distances: north 50 degrees 30 minutes 53 seconds west, 30.45 feet; south 39 degrees 29 minutes 07 seconds west, 8.00 feet; thence along a stone wall north 50 degrees 30 minutes 53 seconds west, 44.55 feet to the northwesterly corner of said cemetery; thence continuing along a stone wall marking the southerly line formerly of Lena Adolph and the northerly line formerly of Grover Cox the following courses and distances: north 47 degrees 29 minutes 52 seconds west, 364.58 feet; north 12 degrees 49 minutes 48 seconds west, 60.00 feet to the point or place of beginning, containing 7.96 acres more or less.

Together with a right-of-way over an existing lane on the lands of the United States Military Academy for the purpose of ingress and egress to the aforesaid lands, approximately parallel to the southeasterly side of the Sacred Heart Cemetery and continuing approximately parallel to the southeasterly side of the lands now being conveyed for a total distance of 800 feet, whence the lane leaves the lands of the United States Military Academy and enters into the lands hereinabove described.

With the following committee amendment:

Page 1, lines 3 and 4, delete ", without consideration," and insert in lieu thereof the following: ", at 50 per centum of the fair market value as determined by the Secretary of the Army,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. R. 10996

AN ACT

86TH CONGRESS
2D SESSION

H. R. 10996

IN THE SENATE OF THE UNITED STATES

APRIL 20 (legislative day, APRIL 19), 1960

Read twice and referred to the Committee on Post Office and Civil Service

AN ACT

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12 (b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6 (b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or

by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail"

and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2 (a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(12) Section 402(c)(4) of the National Housing Act, as amended by section 501 of the Housing Act of 1954 (68 Stat. 633; 12 U.S.C. 1725), is amended by inserting "or by certified mail" immediately following "registered mail".

(13) Section 5(f) of the Federal Trade Commission Act, as amended (52 Stat. 113; 15 U.S.C. 45), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(14) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 805; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(15) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(16) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(17) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 133; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(18) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1053; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(19) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following:

"Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(20) The second sentence of section 2410(b) of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(21) The third sentence in the third paragraph of section 17 of the Mineral Lands Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(22) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U. S. C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) The third sentence of section 207(i) of the

Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(24) The first sentence of section 208 (b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(25) Clause (1) of the last paragraph of section 7 (a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(26) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(27) Section 2 (b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 682; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(28) The first sentence of section 3491 (C) of the Revised Statutes, as added by the Act of December 23, 1943

(57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(29) Section 3491 (D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 609; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(30) The second sentence of section 19 (c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(31) Section 19 (e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(32) Section 784 (b) of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(33) Section 5226 of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(34) The second paragraph of section 2 of the Act of August 24, 1912, as amended (47 Stat. 1486; 39 U.S.C. 233), is amended by striking out "by registered letter" and

inserting in lieu thereof "by registered mail or by certified mail".

(35) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(36) The last sentence of section 4(d) of the National Science Foundation Act of 1950, as amended (73 Stat. 467; 42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The first sentence of section 19a(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 702), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking out the words "registered letter" and inserting in lieu thereof "registered mail or by certified mail".

(39) Section 105(a) of the Renegotiation Act of

1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) Section 107 (e) of the Renegotiation Act of 1951 (65 Stat. 20; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(41) The second sentence of section 9 (b) of the Professional Engineers' Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 10 of the Act of March 19, 1906 (34 Stat. 71), as amended (48 Stat. 845; D.C. Code, sec. 5–310), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(43) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(44) The first sentence of section 5 of the Act of De-

cember 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(45) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking out "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(46) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(47) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) The fourth sentence in the first paragraph of section 24 of the Life Insurance Act (48 Stat. 1137; D.C. Code, sec. 35–423) is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(49) The third sentence of section 23 (b) of the Fire

and Casualty Act (54 Stat. 1075; D.C. Code, sec. 35–1327 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947

(61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3 (c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14 (a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413 (a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

Passed the House of Representatives April 19, 1960.

Attest: RALPH R. ROBERTS,

Clerk.

86TH CONGRESS
2D SESSION

H. R. 10996

AN ACT

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

APRIL 20 (legislative day, APRIL 19), 1960

Read twice and referred to the Committee on Post Office and Civil Service

Calendar No. 1550

86TH CONGRESS, 2d Session | SENATE | REPORT No. 1489

USE OF CERTIFIED MAIL BY GOVERNMENT AGENCIES UNDER CERTAIN FEDERAL LAWS

MAY 26, 1960.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

REPORT

[To accompany H.R. 10996]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 10996) to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes, having considered the same report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The general purpose of this measure is to authorize the various Government departments and agencies to use the certified-mail procedure of the Post Office Department in lieu of registered mail. The certified-mail procedure in many instances will serve the Government's needs equally as well as the more costly registered mail.

Certain official documents and papers are required, by various statutes, to be transmitted by registered mail when sent by the Government departments or agencies set forth in the statutes.

In a survey of the departments and agencies, the Bureau of the Budget found that the use of certified mail, in place of registered mail, would be both effective and economical.

The bill therefore, amends existing laws so as to permit each department and agency the option of using either registered mail or certified mail as deemed suitable to the occasion.

Savings

In the hearings before the House Post Office and Civil Service Committee, the Post Office Department presented testimony to the effect that the cost of handling certified mail averages about 22.7 cents per piece, compared to an average cost of 82.9 cents per piece for registered mail. The difference of 60 cents represents a net saving on each piece of Government mail that will be handled under the certified procedure, rather than by registry, after enactment of this legislation. Approximately 3,600,000 pieces of Government mail are sent registered each year. If a change occurs in Government registered mailings in proportion to the change recorded in private mailings, 36 percent of formerly registered Government mailings—or 1,200,000 pieces—henceforth would be sent as certified mail at an annual saving of $774,000 to the Government.

Agency Views

Following is the official request of the Post Office Department with respect to enactment of legislation as contained in this measure:

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., January 12, 1959.

PRESIDENT OF THE SENATE,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Submitted herewith for consideration by the Congress is a legislative proposal to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

There are several provisions of law which authorize or require the transmission or service of documents and other matter by registered mail.

Many official documents and other matter transmitted or served by registered mail generally have no intrinsic value. The purpose of having them served or transmitted by registered mail is to establish proof of mailing and delivery through the system of receipts provided for such mail. The same purpose now can be served by the use of the certified-mail service.

The certified-mail service established by the Postmaster General now provides a cheaper means for the transmission of such documents or other matter which are required or permitted by law to be served or transmitted by registered mail. Proof of mailing and delivery is available through the system of receipts given at the time of mailing and taken at the time of delivery of the certified mail. If the sender so desires, he may obtain a return receipt as evidence of delivery.

The view has been expressed that it would be unwise to enact a general authorization for the use of certified mail in addition to registered mail for the transmission or service of documents and other matter. Accordingly, each department and agency has examined the

laws under its administration and has advised with respect to the specific laws which should be amended to include authorization for the service or transmission of documents and other matter, by certified mail, in addition to registered mail.

During the 1st session of the 85th Congress two laws (Public Law 85–207, approved August 28, 1957, and Public Law 85–259, approved September 2, 1957) were enacted to provide, among other things, the necessary amendment of three existing laws to authorize the use of certified mail. The attached proposal combines and incorporates into one bill the various remaining laws which the departments and agencies of the Government suggested for amendment to authorize the use of certified mail, in addition to registered mail, for the transmission or service of documents and other matter. These laws are listed in subsection (a) of the proposal.

Subsection (b) of the proposal provides that return receipts for the delivery of certified mail shall be prima facie evidence of such delivery to the same extent as return receipts for registered mail (39 U.S.C. 388a).

This Department urges the early enactment of this legislation.

It is not possible to estimate what effect, if any, the enactment of this legislation will have on the revenues of the Department.

The Bureau of the Budget has advised that there would be no objection to the submission of this proposal to the Congress.

Sincerely yours,

ARTHUR E. SUMMERFIELD,
Postmaster General.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 12(b) OF THE ACT OF AUGUST 2, 1939, AS ADDED BY SECTION 4 OF THE ACT OF JULY 19, 1940 (54 Stat. 767; 5 U.S.C. 118k)

(*b*) If any Federal agency charged with the duty of making any loan or grant of funds of the United States for use in any activity by any officer or employee to whom the provisions of subsection (a) are applicable has reason to believe that any such officer or employee has violated the provisions of such subsection, it shall make a report with respect thereto to the United States Civil Service Commission (hereinafter referred to as the "Commission"). Upon the receipt of any such report, or upon the receipt of any other information which seems to the Commission to warrant an investigation, the Commission shall fix a time and place for a hearing, and shall by registered mail *or by*

certified mail send to the officer or employee charged with the violation and to the State or local agency employing such officer or employee a notice setting forth a summary of the alleged violation and the time and place of such hearing. At such hearing (which shall be not earlier than ten days after the mailing of such notice) either the officer or employee or the State or local agency, or both, may appear with counsel and be heard. After such hearing, the Commission shall determine whether any violation of such subsection has occurred and whether such violation, if any, warrants the removal of the officer or employee by whom it was committed from his office or employment, and shall by registered mail *or by certified mail* notify such officer or employee and the appropriate State or local agency of such determination. If in any case the Commission finds that such officer or employee has not been removed from his office or employment within thirty days after notice of a determination by the Commission that such violation warrants his removal, or that he has been so removed and has subsequently (within a period of eighteen months) been appointed to any office or employment in any State or local agency in such State, the Commission shall make and certify to the appropriate Federal agency an order requiring it to withhold from its loans or grants to the State or local agency to which such notification was given an amount equal to two years' compensation at the rate such officer or employee was receiving at the time of such violation; except that in any case of such a subsequent appointment to a position in another State or local agency which receives loans or grants from any Federal agency, such order shall require the withholding of such amount from such other State or local agency: *Provided*, That in no event shall the Commission require any amount to be withheld from any loan or grant pledged by a State or local agency as security for its bonds or notes if the withholding of such amount would jeopardize the payment of the principal or interest on such bonds or notes. Notice of any such order shall be sent by registered mail *or by certified mail* to the State or local agency from which such amount is ordered to be withheld. The Federal agency to which such order is certified shall, after such order becomes final, withhold such amount in accordance with the terms of such order. Except as provided in subsection (c), any determination or order of the Commission shall become final upon the expiration of thirty days after the mailing of notice of such determination or order.

SECTION 6(b) OF THE COMMODITY EXCHANGE ACT (42 Stat. 1001, 1002; 7 U.S.C. 9)

(b) If the Secretary of Agriculture has reason to believe that any person (other than a contract market) is violating or has violated any of the provisions of this Act, or any of the rules and regulations made pursuant to its requirements, or has manipulated or is attempting to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any board of trade, he may serve upon such person a complaint stating his charges in that respect, to which complaint shall be attached or contained therein a notice of hearing, specifying a day and place not less than three days after the service thereof, requiring such person to

show cause why an order should not be made directing that all contract markets until further notice of the Secretary of Agriculture refuse all trading privileges to such person, and to show cause why the registration of such person, if registered as futures commission merchant or as floor broker hereunder, should not be suspended or revoked. Said hearing may be held in Washington, District of Columbia, or elsewhere, before the Secretary of Agriculture, or before a referee designated by the Secretary of Agriculture, which referee shall cause all evidence to be reduced to writing and forthwith transmit the same to the Secretary of Agriculture. Upon evidence received, the Secretary of Agriculture may require all contract markets to refuse such person all trading privileges thereon for such period as may be specified to the order, and, if such person is registered as futures commission merchant or as floor broker hereunder, may suspend, for a period not to exceed six months, or revoke, the registration of such person. Notice of such order shall be sent forthwith by registered mail *or by certified mail* or delivered to the offending person and to the governing boards of said contract markets.

After the issuance of the order by the Secretary of Agriculture, as aforesaid, the person against whom it is issued may obtain a review of such order or such other equitable relief as to the court may seem just by filing in the United States court of appeals of the circuit in which the petitioner is doing business a written petition praying that the order of the Secretary of Agriculture be set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary of Agriculture and thereupon the Secretary of Agriculture shall file in the court the record theretofore made, as provided in section 2112 of Title 28, United States Code. Upon the filing of the petition the court shall have jurisdiction to affirm, to set aside, or modify the order of the Secretary of Agriculture, and the findings of the Secretary of Agriculture as to the facts, if supported by the weight of evidence, shall in like manner be conclusive.

SECTION 3 OF THE ACT OF MARCH 3, 1927 (44 Stat. 1373; 7 U.S.C. 473)

SEC. 3. That it shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any cotton warehouse, cotton ginnery, cotton mill, or other place or establishment where cotton is stored, whether conducted as a corporation, firm, limited partnership, or individual, and of any owner or holder of any cotton and of the agents and representatives of any such owner or holder, when requested by the Secretary of Agriculture or by any special agent or other employee of the Department of Agriculture acting under the instructions of said Secretary to furnish completely and correctly, to the best of his knowledge, all of the information concerning the grades and staple length of cotton on hand, and when requested to permit such agent or employee of the Department of Agriculture to examine and classify samples of all such cotton on hand. The request of the Secretary of Agriculture for such information may be made in writing or by a visiting representative, and if made in writing shall be forwarded by registered mail *or by certified mail*, and the registry receipt *or receipt for certified mail* of the Post

Office Department shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any cotton warehouse, cotton ginnery, cotton mill, or other place or establishment where cotton is stored, or any owner or holder of any cotton or the agent or representative of any such owner or holder, who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any information herein provided for or shall willfully give answers that are false or shall refuse to allow agents or employees of the Department of Agriculture to examine or classify any cotton in store in any such establishment, or in the hands of any owner or holder or of the agent or representative of any such owner or holder, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $300 or more than $1,000.

SECTION 6(c) OF THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930 (46 Stat. 534; 7 U.S.C. 499f)

(c) If there appear to be, in the opinion of the Secretary, any reasonable grounds for investigating any complaint made under this section, the Secretary shall investigate such complaint and may, if in his opinion the facts warrant such action, have said complaint served by registered mail *or by certified mail* or otherwise on the person concerned and afford such person an opportunity for a hearing thereon before a duly authorized examiner of the Secretary in any place in which the said person is engaged in business: *Provided*, That in complaints wherein the amount claimed as damages does not exceed the sum of $500 a hearing need not be held and proof in support of the complaint and in support of respondent's answer may be supplied in the form of depositions or verified statements of fact.

SECTIONS 365 AND 373(a) OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED (52 Stat. 63, 65; 54 Stat. 394; 7 U.S.C. 1365, 1373)

INSTITUTION OF PROCEEDINGS

SEC. 365. If the farmer is dissatisfied with the determination of the review committee, he may, within fifteen days after a notice of such determination is mailed to him by registered mail *or by certified mail*, file a bill in equity against the review committee as defendant in the United States district court, or institute proceedings for review in any court of record of the State having general jurisdiction, sitting in the county or the district in which his farm is located, for the purpose of obtaining a review of such determination. Bond shall be given in an amount and with surety satisfactory to the court to secure the United States for the costs of the proceeding. The bill of complaint in such proceeding may be served by delivering a copy thereof to any one of the members of the review committee. Thereupon the review committee shall certify and file in the court a transcript of the record upon which the determination complained of was made, together with its findings of fact.

* * * * * * *

REPORTS AND RECORDS

SEC. 373. (a) This subsection shall apply to warehousemen, processors, and common carriers of corn, wheat, cotton, rice, peanuts, or tobacco, and all ginners of cotton, all persons engaged in the business of purchasing corn, wheat, cotton, rice, peanuts, or tobacco from producers, all persons engaged in the business of redrying, prizing, or stemming tobacco for producers, all brokers and dealers in peanuts, all agents marketing peanuts for producers, or acquiring peanuts for buyers and dealers, and all peanut growers' cooperative associations, all persons engaged in the business of cleaning, shelling, crushing, and salting of peanuts and the manufacture of peanut products, and all persons owning or operating peanut-picking or peanut-threshing machines. Any such person shall, from time to time on request of the Secretary, report to the Secretary such information and keep such records as the Secretary finds to be necessary to enable him to carry out the provisions of this title. Such information shall be reported and such records shall be kept in accordance with forms which the Secretary shall prescribe. For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, the Secretary is hereby authorized to examine such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as he has reason to believe are relevant and are within the control of such person. Any such person failing to make any report or keep any record as required by this subsection or making any false report or record shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required by this subjection within fifteen days after notice to him of such violation shall be subject to an additional fine of $100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail *or by certified mail* or by posting the same at any established place of business operated by him, or both.

SECTION 409(d) OF THE FEDERAL SEED ACT (53 Stat. 1287; 7 U.S.C. 1599)

CEASE AND DESIST PROCEEDINGS

SEC. 409. (a) * * *

* * * * * * *

(d) Complaints, orders, and other processes of the Secretary of Agriculture under this section may be served by anyone duly authorized by the Secretary of Agriculture, either (1) by delivering a copy thereof to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or (2) by leaving a copy

thereof at the principal office or place of business of such person, partnership, or corporation; or (3) by [registering and] mailing a copy thereof *by registered mail or by certified mail* addressed to such person, partnership, or corporation at his or its last known principal office or place of business. The verified return by the person so serving said complaint, order, or other process setting forth the manner of said order shall be proof of the same, and the return post-office receipt for said complaint, order, or other process [registered and] mailed *by registered mail or by certified mail* as aforesaid shall be proof of the service of the same.

SECTION 107(d) OF THE SOIL BANK ACT (70 Stat. 193; 7 U.S.C. 1831)

SUBTITLE B—CONSERVATION RESERVE PROGRAM

TERMS AND CONDITIONS

SEC. 107. (a) * * *

* * * * * * *

(d) A contract shall not be terminated under paragraph (6) of subsection (a) unless the nature of the violation is such as to defeat or substantially impair the purposes of the contract. Whenever the State committee believes that there has been a violation which would warrant termination of a contract, the producer shall be given written notice thereof by registered mail *or certified mail* or personal service, and the producer shall, if he requests such an opportunity within thirty days after the delivery or service of such notice, be given an opportunity to show cause, in an informal proceeding before the county committee under regulations promulgated by the Secretary, why the contract should not be terminated. If the producer does not request an opportunity to show cause why the contract should not be terminated within such thirty-day period, the determination of the State committee made in accordance with regulations of the Secretary shall be final and conclusive. If the producer within such thirty-day period requests an opportunity to show cause why the contract should not be terminated, the county committee, at the conclusion of the proceeding, shall submit a report, including its recommendations, to the State committee for a determination, on the basis of such report and such other information as is available to the State committee, as to whether there has been a violation which would warrant termination of the contract. The producer shall be accorded the right, in accordance with regulations promulgated by the Secretary, to appear before the State committee in connection with the State committee's determination of the issue. The producer shall be given written notice by registered mail *or certified mail* or personal service of the State committee's determination. If the producer feels aggrieved by such determination, he may obtain judicial review of such determination by filing a complaint with the United States district court for the district in which the land covered by the contract is located, within ninety days after the delivery or service of notice of such determination, requesting the court to set aside such determination. Service of process in such action shall be made in accordance with the rule for

service of process upon the United States prescribed by the Rules of Civil Procedure for the United States District Courts. The copy of the summons and complaint required to be delivered to the officer or agency whose order is being attacked shall be sent to the chairman of the State committee. The action in the United States district court shall be a trial de novo to determine whether there has been a violation which would warrant termination of the contract. If the producer does not seek judicial review of the State committee's determination within the ninety-day period allowed therefor, the State committee's determination shall be final and conclusive. The terms "county committee" and "State committee" as used herein refer to the county and State committees established under section 8 of the Soil Conservation and Domestic Allotment Act, as amended.

SECTION 301 OF THE ACT OF MARCH 9, 1933, AS AMENDED (48 Stat. 5; 12 U.S.C. 51a)

SEC. 301. Notwithstanding any other provision of law, any national banking association may, with the approval of the Comptroller of the Currency and by vote of shareholders owning a majority of the stock of such association, upon not less than five days' notice, given by registered mail *or by certified mail* pursuant to action taken by its board of directors, issue preferred stock of one or more classes, in such amount and with such par value as shall be approved by said Comptroller, and make such amendments to its articles of association as may be necessary for this purpose; but, in the case of any newly organized national banking association which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in and notice thereof, duly acknowledged before a notary public by the president, vice president, or cashier of said association, has been transmitted to the Comptroller of the Currency and his certificate obtained specifying the amount of such issue of preferred stock and his approval thereof and that the amount has been duly paid in as a part of the capital of such association; which certificate shall be deemed to be conclusive evidence that such preferred stock has been duly and validly issued.

SECTION 2(a) OF THE ACT OF AUGUST 17, 1950 (64 Stat. 456; 12 U.S.C. 214a)

CONVERSION OF NATIONAL BANK INTO AND MERGER OR CONSOLIDATION WITH STATE BANK; PROCEDURE

SEC. 2. A national banking association may, by vote of the holders of at least two-thirds of each class of its capital stock, convert into, or merge or consolidate with, a State bank in the same State in which the national banking association is located, under a State charter, in the following manner:

(a) The plan of conversion, merger, or consolidation must be approved by a majority of the entire board of directors of the national banking association. The bank shall publish notice of the time, place,

and object of the shareholders' meeting to act upon the plan, in some newspaper with general circulation in the place where the principal office of the national banking association is located, at least once a week for four consecutive weeks: *Provided*, That newspaper publication may be dispensed with entirely if waived by all the shareholders and in the case of a merger or consolidation one publication at least ten days before the meeting shall be sufficient if publication for four weeks is waived by holders of at least two-thirds of each class of capital stock and prior written consent of the Comptroller of the Currency is obtained. The national banking association shall send such notice to each shareholder of record by registered mail *or by certified mail* at least ten days prior to the meeting, which notice may be waived specifically by any shareholder.

SECTION 5(d)(1) OF THE HOME OWNERS' LOAN ACT OF 1933, AS ADDED BY SECTION 503 OF THE HOUSING ACT OF 1954 (68 Stat. 635; 12 U.S.C. 1464)

FEDERAL SAVINGS AND LOAN ASSOCIATIONS

SEC. 5. (a) * * *

* * * * * * *

(d) (1) The Board shall have power to enforce this section and rules and regulations made hereunder. In the enforcement of any provision of this section or rules and regulations made hereunder, or any other law or regulation, and in the administration of conservatorships and receiverships as provided in subsection (d) (2) hereof, the Board is authorized to act in its own name and through its own attorneys. The Board shall have power to sue and be sued, complain and defend in any court of competent jurisdiction in the United States or its territories or possessions or the Commonwealth of Puerto Rico. It shall by formal resolution state any alleged violation of law or regulation and give written notice to the association concerned of the facts alleged to be such violation, except that the appointment of a Supervisory Representative in Charge, a conservator or a receiver shall be exclusively as provided in subsection (d) (2) hereof. Such association shall have thirty days within which to correct the alleged violation of law or regulation and to perform any legal duty. If the association concerned does not comply with the law or regulation within such period, then the Board shall give such association twenty days' written notice of the charges against it and of a time and place at which the Board will conduct a hearing as to such alleged violation of duty. Such hearing shall be in the Federal judicial district of the association unless it consents to another place and shall be conducted by a hearing examiner as is provided by the Administrative Procedure Act. The Board or any member thereof or its designated representative shall have power to administer oaths and affirmations and shall have power to issue subpenas and subpenas duces tecum, and shall issue such at the request of any interested party, and the Board or any interested party may apply to the United States district court of the district where such hearing is designated for the enforcement of such subpena or subpena duces tecum and such courts shall have power to order and require compliance therewith. A record shall be made of

such hearing and any interested party shall be entitled to a copy of such record to be furnished by the Board at its reasonable cost. After such hearing and adjudication by the Board, appeals shall lie as is provided by the Administrative Procedure Act, and the review by the court shall be upon the weight of the evidence. Upon the giving of notice of alleged violation of law or regulation as herein provided, either the Board or the association affected may, within thirty days after the service of said notice, apply to the United States district court for the district where the association is located for a declaratory judgment and an injunction or other relief with respect to such controversy, and said court shall have jurisdiction to adjudicate the same as in other cases and to enforce its orders. The Board may apply to the United States district court of the district where the association affected has its home office for the enforcement of any order of the Board and such court shall have power to enforce any such order which has become final. The Board shall be subject to suit by any Federal savings and loan association with respect to any matter under this section or regulations made thereunder, or any other law or regulation, in the United States district court for the district where the home office of such association is located, and may be served by serving a copy of process on any of its agents and mailing a copy of such process by registered mail, *or by certified mail*, to the Home Loan Bank Board Washington, District of Columbia.

SECTION 402(c)(4) OF THE NATIONAL HOUSING ACT, AS AMENDED BY SECTION 501 OF THE HOUSING ACT OF 1954 (68 Stat. 633; 12 U.S.C. 1725)

CREATION OF FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

SEC. 402. (a) * * *

* * * * * * *

(c) Upon the date of enactment of this Act, the Corporation shall become a body corporate, and shall be an instrumentality of the United States, and as such shall have power—

(1) * * *

* * * * * * *

(4) To sue and be sued, complain and defend, in any court of competent jurisdiction in the United States or its Territories or possessions or the Commonwealth of Puerto Rico, and may be served by serving a copy of process on any of its agents or any agent of the Home Loan Bank Board and mailing a copy of such process by registered mail *or by certified mail* to the Corporation at Washington, District of Columbia.

SECTION 5(f) OF THE FEDERAL TRADE COMMISSION ACT, AS AMENDED (52 Stat. 113; 15 U.S.C. 45)

(f) Complaints, orders, and other processes of the Commission under this section may be served by anyone duly authorized by the Commission, either (a) by delivering a copy thereof to the person

to be served, or to a member of the partnership to be served, or the president, secretary, or other executive officer or a director of the corporation to be served; or (b) by leaving a copy thereof at the residence or the principal office or place of business of such person, partnership, or corporation; or (c) by [registering and] mailing a copy thereof *by registered mail or by certified mail* addressed to such person, partnership, or corporation at his or its residence or principal office or place of business. The verified return by the person so serving said complaint, order, or other process setting forth the manner of said service shall be proof of the same, and the return post office receipt for said complaint, order, or other process [registered and] mailed *by registered mail or by certified mail* as aforesaid shall be proof of the service of the same.

SECTIONS 8(e) AND 40(a) OF THE INVESTMENT COMPANY ACT OF 1940 (54 Stat. 805 and 842; 15 U.S.C. 80a–8 and 80a–39)

REGISTRATION OF INVESTMENT COMPANIES

SEC. 8. (a) * * *

* * * * * * *

(e) If it appears to the Commission that a registered investment company has failed to file the registration statement required by this section or a report required pursuant to section 30 (a) or (b), or has filed such a registration statement or report but omitted therefrom material facts required to be stated therein, or has filed such a registration statement or report in violation of section 34(b), the Commission shall notify such company by registered mail *or by certified mail* of the failure to file such registration statement or report, or of the respects in which such registration statement or report appears to be materially incomplete or misleading, as the case may be, and shall fix a date (in no event earlier than thirty days after the mailing of such notice) prior to which such company may file such registration statement or report or correct the same. If such registration statement or report is not filed or corrected within the time so fixed by the Commission or any extension thereof, the Commission, after appropriate notice and opportunity for hearing, and upon such conditions and with such exemptions as it deems appropriate for the protection of investors, may by order suspend the registration of such company until such statement or report is filed or corrected, or may by order revoke such registration, if the evidence establishes—

(1) that such company has failed to file a registration statement required by this section or a report required pursuant to section 30 (a) or (b), or has filed such a registration statement or report but omitted therefrom material facts required to be stated therein, or has filed such a registration statement or report in violation of section 34(b); and

(2) that such suspension or revocation is in the public interest.

* * * * * * *

ORDERS; PROCEDURE FOR ISSUANCE

SEC. 40. (a) Orders of the Commission under this title shall be issued only after appropriate notice and opportunity for hearing.

Notice to the parties to a proceeding before the Commission shall be given by personal service upon each party or by registered mail *or certified mail* or confirmed telegraphic notice to the party's last known business address. Notice to interested persons, if any, other than parties may be given in the same manner or by publication in the Federal Register.

SECTION 211(c) OF THE INVESTMENT ADVISERS ACT OF 1940 (54 Stat. 855; 15 U.S.C. 80b–11)

RULES, REGULATIONS, AND ORDERS

SEC. 211. (a) * * *

* * * * * * *

(c) Orders of the Commission under this title shall be issued only after appropriate notice and opportunity for hearing. Notice to the parties to a proceeding before the Commission shall be given by personal service upon each party or by registered mail *or certified mail* or confirmed telegraphic notice to the party's last known business address. Notice to interested persons, if any, other than parties may be given in the same manner or by publication in the Federal Register.

FIRST SENTENCE OF SECTION 5 OF THE ACT OF MARCH 29 1944 (58 Stat. 133; 16 U.S.C. 583d)

SEC. 5. Before any sustained-yield unit authorized by section 1 or section 3 of this Act shall be established, and before any cooperative agreement authorized by section 2 or section 4 of this Act shall be entered into, advance notice thereof shall be given by registered mail *or by certified mail* to each landowner whose land is proposed to be included and by publication in one or more newspapers of general circulation in the vicinity of the place where the timber is located, and the costs incident to such publication may be paid out of any funds available for the protection or management of the federally owned or administered forest land involved.

SECTION 505(g) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT (52 Stat. 1053; 21 U.S.C. 355)

(g) Orders of the Secretary issued under this section shall be served (1) in person by any officer or employee of the department designated by the Secretary or (2) by mailing the order by registered mail *or by certified mail* addressed to the applicant or respondent at his last-known address in the records of the Secretary.

SECTIONS 2284 AND 2410(b) OF TITLE 28 OF THE UNITED STATES CODE

§ 2284. THREE-JUDGE DISTRICT COURT: COMPOSITION; PROCEDURE

In any action or proceeding required by Act of Congress to be heard and determined by a district court of three judges the composition

and procedure of the court, except as otherwise provided by law, shall be as follows:

(1) The district judge to whom the application for injunction or other relief is presented shall constitute one member of such court. On the filing of the application, he shall immediately notify the chief judge of the circuit, who shall designate two other judges, at least one of whom shall be a circuit judge. Such judges shall serve as members of the court to hear and determine the action or proceeding.

(2) If the action involves the enforcement, operation or execution of State statutes or State administrative orders, at least five days notice of the hearing shall be given to the governor and attorney general of the State.

If the action involves the enforcement, operation or execution of an Act of Congress or an order of any department or agency of the United States, at least five days' notice of the hearing shall be given to the Attorney General of the United States, to the United States attorney for the district, and to such other persons as may be defendants.

Such notice shall be given by registered mail *or by certified mail* by the clerk[,] and shall be complete on the mailing thereof.

(3) In any such case in which an application for an interlocutory injunction is made, the district judge to whom the application is made may, at any time, grant a temporary restraining order to prevent irreparable damage. The order, unless previously revoked by the district judge, shall remain in force only until the hearing and determination by the full court. It shall contain a specific finding, based upon evidence submitted to such judge and identified by reference thereto. that specified irreparable damage will result if the order is not granted.

(4) In any such case the application shall be given precedence and assigned for a hearing at the earliest practicable day. Two judges must concur in granting the application.

(5) Any one of the three judges of the court may perform all functions, conduct all proceedings except the trial, and enter all orders required or permitted by the rules of civil procedure. A single judge shall not appoint a master or order a reference, or hear and determine any application for an interlocutory injunction or motion to vacate the same, or dismiss the action, or enter a summary or final judgment. The action of a single judge shall be reviewable by the full court at any time before final hearing.

A district court of three judges shall, before final hearing, stay any action pending therein to enjoin, suspend or restrain the enforcement or execution of a State statute or order thereunder, whenever it appears that a State court of competent jurisdiction has stayed proceedings under such statute or order pending the determination in such State court of an action to enforce the same. If the action in the State court is not prosecuted diligently and in good faith, the district court of three judges may vacate its stay after hearing upon ten days notice served upon the attorney general of the State.

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§ 2410. ACTIONS AFFECTING PROPERTY ON WHICH UNITED STATES HAS LIEN

(a) * * *

(b) The complaint shall set forth with particularity the nature of the interest or lien of the United States. In actions in the State courts service upon the United States shall be made by serving the process of the court with a copy of the complaint upon the United States attorney for the district in which the action is brought or upon an assistant United States attorney or clerical employee designated by the United States attorney in writing filed with the clerk of the court in which the action is brought and by sending copies of the process and complaint, by registered mail, *or by certified mail*, to the Attorney General of the United States at Washington, District of Columbia. In such actions the United States may appear and answer, plead or demur within sixty days after such service or such further time as the court may allow.

THIRD PARAGRAPH OF SECTION 17 OF THE MINERAL LANDS LEASING ACT OF FEBRUARY 25, 1920, AS AMENDED BY THE ACT OF JULY 29, 1954 (68 Stat. 584; 30 U.S.C. 226)

Upon the expiration of the initial five-year term of any noncompetitive lease maintained in accordance with applicable statutory requirements and regulations, the record titleholder thereof shall be entitled to a single extension of the lease, unless then otherwise provided by law, for such lands covered by it as are not on the expiration date of the lease withdrawn from leasing under this section. A withdrawal, however, shall not affect the right to an extension if actual drilling operations on such lands were commenced prior to such withdrawal becoming effective and were being diligently prosecuted on such expiration date. No withdrawal shall be effective within the meaning of this section until ninety days after notice thereof shall be sent by registered mail, *or by certified mail*, to each lessee to be affected by such withdrawal. A noncompetitive lease, as to lands not within the known geologic structure of a producing oil or gas field, shall be extended for a period of five years and so long thereafter as oil or gas is produced in paying quantities. A noncompetitive lease, as to lands within the known geologic structure of a producing oil or gas field, shall be extended for a period of two years and so long thereafter as oil or gas is produced in paying quantities. Any noncompetitive lease extended under this paragraph shall be subject to the rules and regulations in force at the expiration of the initial five-year term of the lease. No extension shall be granted, however, unless within a period of ninety days prior to such expiration date an application therefor is filed by the record titleholder or an assignee whose assignment has been filed for approval, or an operator whose operating agreement has been filed for approval.

SECTIONS 207(b), 207(i), AND 208(b) OF THE FEDERAL COAL MINE SAFETY ACT, AS ADDED BY THE FIRST SECTION OF THE ACT OF JULY 16, 1952 (66 Stat. 700, 702; 30 U.S.C. 477, 478)

REVIEW BY BOARD

SEC. 207. (a) * * *

(b) The operator shall be designated as the applicant in such proceeding and the application filed by him shall recite the order complained of and other facts sufficient to advise the Board of the nature of the proceeding. He may allege in such application: That danger as set out in such order does not exist at the time of the filing of such application; that violation of section 209, as set out in such order, has not occurred; that such violation has been totally or partially abated; that the period of time within which such violation should be totally abated, as fixed in the findings upon which such order was based, was not reasonable; that the area of the mine described in such order as the area affected by the violation referred to in such order is not so affected at the time of the filing of such application; or that the mine described in such order is not a gassy mine. The Director shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered mail *or by certified mail* to the Director at Washington, District of Columbia.

* * * * * * *

(i) Each finding and order made by the Board shall be in writing. It shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon making a finding and order the Board shall cause a true copy thereof to be sent by registered mail *or by certified mail* to all parties or their attorneys of record. The Board shall cause each such finding and order to be entered on its official record, together with any written opinion prepared by any member in support of, or dissenting from, any such finding or order.

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JUDICIAL REVIEW

SEC. 208. (a) * * *

(b) The party making such appeal shall forthwith send a copy of such notice of appeal, by registered mail *or by certified mail*, to the other party and to the Board. Upon receipt of such copy of a notice of appeal the Board shall promptly certify and file in such court a complete transcript of the record upon which the order complained of was made The costs of such transcript shall be paid by the party making the appeal.

LAST PARAGRAPH OF SECTION 7(a) OF THE ACT OF AUGUST 13, 1954 (68 Stat. 713; 30 U.S.C. 527)

Within fifteen days after the date of first publication of such notice, the person requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be mailed by registered mail *or by certified mail* addressed to each person in possession or engaged in the working of the land whose name and address is shown by an

affidavit filed as aforesaid, and to each person who may have filed, as to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 7, and shall cause a copy of such notice to be mailed by registered mail *or by certified mail* to each person whose name and address is set forth in the title or abstract company's or title abstractor's or attorney's certificate filed as aforesaid, as having an interest in the lands described in said notice under any unpatented mining claim heretofore located, such notice to be directed to such person's address as set forth in such certificate; and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

LAST PARAGRAPH OF SECTION 5(a) OF THE ACT OF JULY 23, 1955 (69 Stat. 370; 30 U.S.C. 613)

Within fifteen days after the date of first publication of such notice, the department or agency requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be mailed by registered mail *or by certified mail* addressed to each person in possession or engaged in the working of the land whose name and address is shown by an affidavit filed as aforesaid, and to each person who may have filed, as to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 5, and shall cause a copy of such notice to be mailed by registered mail *or by certified mail* to each person whose name and address is set forth in the title or abstract company's or title abstractor's or attorney's certificate filed as aforesaid, as having an interest in the lands described in said notice under any unpatented mining claim heretofore located, such notice to be directed to such person's address as set forth in such certificate; and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

SECTION 2(b) OF THE MINING CLAIMS RIGHTS RESTORATION ACT OF 1955 (69 Stat. 682; 30 U.S.C. 621)

(b) The locator of a placer claim under this Act, however, shall conduct no mining operations for a period of sixty days after the filing of a notice of location pursuant to section 4 of this Act. If the Secretary of the Interior, within sixty days from the filing of the notice of location, notifies the locator by registered mail *or certified mail* of the Secretary's intention to hold a public hearing to determine whether placer mining operations would substantially interfere with other uses of the land included within the placer claim, mining operations on that claim shall be further suspended until the Secretary has held the hearing and has issued an appropriate order. The order issued by the Secretary of the Interior shall provide for one of the following: (1) a complete prohibition of placer mining; (2) a permission to engage in placer mining upon the condition that the locator shall, following placer operations, restore the surface of the claim to the condition in which it was immediately prior to those operations; or

(3) a general permission to engage in placer mining. No order by the Secretary with respect to such operations shall be valid unless a certified copy is filed in the same State or county office in which the locator's notice of location has been filed in compliance with the United States mining laws.

The Secretary shall establish such rules and regulations as he deems desirable concerning bonds and deposits with respect to the restoration of lands to their condition prior to placer mining operations. Moneys received from any bond or deposit shall be used for the restoration of the surface of the claim involved, and any money received in excess of the amount needed for the restoration of the surface of that claim shall be refunded.

SECTION 3491 (C) AND (D) OF THE REVISED STATUTES, AS ADDED BY THE ACT OF DECEMBER 23, 1943 (57 Stat. 608, 609; 31 U.S.C. 232)

SEC. 3491 (A) * * *

* * * * * * *

(C) Whenever any such suit shall be brought by any person under clause (B) notice of the pendency of such suit shall be given to the United States by serving upon the United States attorney for the district in which such suit shall have been brought a copy of the bill of complaint and by sending, by registered mail, *or by certified mail*, to the Attorney General of the United States at Washington, District of Columbia, a copy of such bill together with a disclosure in writing of substantially all evidence and information in his possession material to the effective prosecution of such suit. The United States shall have sixty days, after service as above provided, within which to enter appearance in such suit. If the United States shall fail, or decline in writing to the court, during said period of sixty days to enter any such suit, such person may carry on such suit. If the United States within said period shall enter appearance in such suit the same shall be carried on solely by the United States. In carrying on such suit the United States shall not be bound by any action taken by the person who brought it, and may proceed in all respects as if it were instituting the suit: *Provided*, That if the United States shall fail to carry on such suit with due diligence within a period of six months from the date of its appearance therein, or within such additional time as the court after notice may allow, such suit may be carried on by the person bringing the same in accordance with clause (B) above. The court shall have no jurisdiction to proceed with any such suit brought under clause (B) or pending suit brought under section 3491 of the Revised Statutes whenever it shall be made to appear that such suit was based upon evidence or information in the possession of the United States, or any agency, officer or employee thereof, at the time such suit was brought: *Provided, however*, That no abatement shall be had as to a suit pending at the effective date of this Act if before such suit was filed such person had in his possession and voluntarily disclosed to the Attorney General substantial evidence and information which was not theretofore in the possession of the Department of Justice.

(D) In any suit whether or not on appeal pending at the effective date of this Act brought under Revised Statutes, section 3491, the court in which such suit is pending shall stay all further proceedings, and shall forthwith cause written notice, by registered mail, *or by certified mail*, to be given the Attorney General that such suit is pending, and the Attorney General shall have sixty days from the date of such notice to appear and carry on such suit in accordance with clause (C).

SECTION 19(c) AND (e) OF THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT (44 Stat. 1435; 33 U.S.C. 919)

PROCEDURE IN RESPECT OF CLAIMS

SEC. 19. (a) * * *

* * * * * * *

(c) The deputy commissioner shall make or cause to be made such investigations as he considers necessary in respect of the claim, and upon application of any interested party shall order a hearing thereon. If a hearing on such claim is ordered the deputy commissioner shall give the claimant and other interested parties at least ten days' notice of such hearing, served personally upon the claimant and other interested parties or sent to such claimant and other interested parties by registered mail *or by certified mail*, and shall within twenty days after such hearing is had, by order, reject the claim or make an award in respect of the claim. If no hearing is ordered within twenty days after notice is given as provided in subdivision (b), the deputy commissioner shall, by order, reject the claim or make an award in respect of the claim.

* * * * * * *

(e) The order rejecting the claim or making the award (referred to in this Act as a compensation order) shall be filed in the office of the deputy commissioner, and a copy thereof shall be sent by registered mail *or by certified mail* to the claimant and to the employer at the last known address of each.

SECTIONS 784(b) AND 5226 OF TITLE 38, UNITED STATES CODE

§ 784. SUITS ON INSURANCE.

(a) * * *

* * * * * * *

(b) No suit on yearly renewable term insurance, United States Government life insurance, or National Service Life Insurance shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made. For the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is

founded. The limitation of six years is suspended for the period elapsing between the filing in the Veterans' Administration of the claim sued upon and the denial of said claim: *Provided,* That in any case in which a claim is timely filed the claimant shall have not less than ninety days from the date of mailing of notice of denial within which to file suit. After June 28, 1936, notice of denial of the claim under a contract of insurance shall be by registered mail *or by certified mail* directed to the claimant's last address of record. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the Veterans' Administration shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitation has elapsed. No State or other statute of limitations shall be applicable to suits filed under this section.

* * * * * * *

§ 5226. FILING OF CLAIMS FOR ASSETS.

Notwithstanding the crediting to said Fund of the assets, or proceeds thereof, of any decedent, whether upon determination by a court or the Veterans' Administration pursuant to the provisions of section 5220 of this title, any person claiming a right to such assets may within five years after the death of the decedent file a claim on behalf of himself and any others claiming with the Administrator. Upon receipt of due proof that any person was at date of death of the veteran entitled to his personal property, or a part thereof, under the laws of the State of domicile of the decedent, the Administrator may pay out of the Fund, but not to exceed the net amount credited thereto from said decedent's estate less any necessary expenses, the amount to which such person, or persons, was or were so entitled, and upon similar claim any assets of the decedent which shall not have been disposed of shall be delivered in kind to the parties legally entitled thereto. If any person so entitled is under legal disability at the date of death of such decedent, such five-year period of limitation shall run from the termination or removal of legal disability. In the event of doubt as to entitlement, the Administrator may cause administration or other appropriate proceedings to be instituted in any court having jurisdiction. In determining questions of fact or law involved in the adjudication of claims made under this section, no judgment, decree, or order entered in any action at law, suit in equity, or other legal proceeding of any character purporting to determine entitlement to said assets or any part thereof, shall be binding upon the United States or the Administrator or determinative of any fact or question involving entitlement to any such property or the proceeds thereof, or any part of the Fund, unless the Administrator has been seasonably served with notice and permitted to become a party to such suit or proceeding if he makes a request therefor within thirty days after such notice. Notice may be served in person or by registered mail *or by certified mail* upon the Administrator, or upon his authorized attorney in the State wherein the action or proceedings may be pending. Notice may be waived by the Administrator or by his authorized attorney, in which event the finding,

judgment, or decree shall have the same effect as if the Administrator were a party and served with notice. Any necessary court costs or expenses if authorized by the Administrator may be paid as are other administrative expenses of the Veterans' Administration.

SECOND PARAGRAPH OF SECTION 2 OF THE ACT OF AUGUST 24, 1912, AS AMENDED (47 Stat. 1486; 39 U.S.C. 233)

That it shall be the duty of the editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication to file with the Postmaster General and the postmaster at the office at which said publication is entered, not later than the 1st day of October of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding twelve months: *Provided*, That the provisions of this paragraph shall not apply to religious, fraternal, temperance, and scientific, or other similar publications: *Provided further*, That it shall not be necessary to include in such statement the names of persons owning less than 1 per centum of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this paragraph within ten days after notice by registered [letter] *mail or by certified mail* of such failure. That all editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked "advertisement." Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised without so marking the same, shall upon conviction in any court having jurisdiction be fined not less than $50 nor more than $500.

SECTION 205(d) OF THE SOCIAL SECURITY ACT, AS AMENDED (42 U.S.C. 405)

(d) For the purpose of any hearing, investigation, or other proceeding authorized or directed under this title, or relative to any other matter within his jurisdiction hereunder, the Secretary shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the Secretary. Such attendance of witnesses and production of evidence at the designated

place of such hearing, investigation, or other proceeding may be required from any place in the United States or in any Territory or possession thereof. Subpenas of the Secretary shall be served by anyone authorized by him (1) by delivering a copy thereof to the individual named therein, or (2) by registered mail *or by certified mail* addressed to such individual at his last dwelling place or principal place of business. A verified return by the individual so serving the subpena setting forth the manner of service, or, in the case of service by registered mail *or by certified mail*, the return post-office receipt therefor signed by the individual so served, shall be proof of service. Witnesses so subpenaed shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

SECTION 4(d) OF THE NATIONAL SCIENCE FOUNDATION ACT OF 1950, AS AMENDED (73 Stat. 467; 42 U.S.C. 1863(d))

(d) The Board shall meet annually on the third Monday in May, unless, prior to May 10 in any year, the Chairman has set the annual meeting for a day in May, other than the third Monday, and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail *or by certified mail* mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

SECTION 12(a) OF THE RAILROAD UNEMPLOYMENT INSURANCE ACT (52 Stat. 1107; 45 U.S.C. 362)

DUTIES AND POWERS OF THE BOARD

SEC. 12. (a) For the purpose of any investigation or other proceeding relative to the determination of any right to benefits, or relative to any other matter within its jurisdiction under this Act, the Board shall have the power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence, documentary or otherwise, that relates to any matter under investigation or in question, before the Board or any member, employee, or representative thereof. Any member of the Board or any of its employees or representatives designated by it may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and production of evidence may be required from any place in the United States or any Territory or possession thereof at any designated place of hearing. All subpenas may be served and returned by anyone authorized by the Board in the same manner as is now provided by law for the service and return by United States marshals of subpenas in suits in equity. Such service may also be made by registered mail *or by certified mail* and in such case the return post-office receipt shall be proof of service. Witnesses summoned in accordance with this subsection shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

SECTION 19a(h) OF THE ACT OF FEBRUARY 4, 1887, AS ADDED BY THE ACT OF MARCH 1, 1913 (37 Stat. 702; 49 U.S.C. 19a(h))

(h) Whenever the Commission shall have completed the tentative valuation of the property of any common carrier, as herein directed, and before such valuation shall become final, the Commission shall give notice by registered [letter] *mail or by certified mail* to the said carrier, the Attorney General of the United States, the governor of any State in which the property so valued is located, and to such additional parties as the Commission may prescribe, stating the valuation placed upon the several classes of property of said carrier, and shall allow thirty days in which to file a protest of the same with the Commission. If no protest is filed within thirty days, said valuation shall become final as of the date thereof.

SECTIONS 105(a) AND 107(e) OF THE RENEGOTIATION ACT OF 1951 (65 Stat. 12, 20; 50 U.S.C. App. 1215, 1217)

SEC. 105. RENEGOTIATION PROCEEDINGS.

(a) PROCEEDINGS BEFORE THE BOARD.—Renegotiation proceedings shall be commenced by the mailing of notice to that effect, in such form as may be prescribed by regulation, by registered mail *or by certified mail* to the contractor or subcontractor. The Board shall endeavor to make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits received or accrued, and with respect to such other matters relating thereto as the Board deems advisable. Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued. If the Board does not make an agreement with respect to the elimination of excessive profits received or accrued, it shall issue and enter an order determining the amount, if any, of such excessive profits, and forthwith give notice thereof by registered mail *or by certified mail* to the contractor or subcontractor. In the absence of the filing of a petition with The Tax Court of the United States under the provisions of and within the time limit prescribed in section 108, such order shall be final and conclusive and shall not be subject to review or redetermination by any court or other agency. The Board shall exercise its powers with respect to the aggregate of the amounts received or accrued during the fiscal year (or such other period as may be fixed by mutual agreement) by a contractor or subcontractor under contracts with the Departments and subcontracts, and not separately with respect to amounts received or accrued under separate contracts with the Departments or subcontracts, except that the Board may exercise such powers separately with respect to amounts received or accrued by the contractor or subcontractor under any one or more separate contracts with the Departments or subcontracts at the request of the contractor or subcontractor. By agreement with any contractor or subcontractor, and pursuant to regulations promulgated by it, the Board may in its discretion conduct renegotiation on a consolidated basis in order properly to reflect excessive profits of two or more related contractors or subcontractors. Renegotiation shall

be conducted on a consolidated basis with a parent and its subsidiary corporations which constitute an affiliated group under section 141(d) of the Internal Revenue Code if all of the corporations included in such affiliated group request renegotiation on such basis and consent to such regulations as the Board shall prescribe with respect to (1) the determination and elimination of excessive profits of such affiliated group, and (2) the determination of the amount of the excessive profits of such affiliated group allocable, for the purposes of section 3806 of the Internal Revenue Code, to each corporation included in such affiliated group. Whenever the Board makes a determination with respect to the amount of excessive profits, and such determination is made by order, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statement shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

* * * * * * *

SEC. 107. RENEGOTIATION BOARD.

(a) * * *

* * * * * * *

(e) ORGANIZATION AND OPERATION OF BOARD.—The Chairman of the Board may from time to time divide the Board into divisions of one or more members, assign the members of the Board thereto, and in case of a division of more than one member, designate the chief thereof. The Board may also, by regulations or otherwise, determine the character of cases to be conducted initially by the Board through an officer or officers of, or utilized by, the Board, the character of cases to be conducted initially by the various agencies of the Government authorized to exercise powers of the Board pursuant to subsection (d) of this section, the character of cases to be conducted initially by the various divisions of the Board, and the character of cases to be conducted initially by the Board itself. The Board may review any determination in any case not initially conducted by it, on its own motion or, in its discretion, at the request of any contractor or subcontractor aggrieved thereby. Unless the Board upon its own motion initiates a review of such determination within ninety days from the date of such determination, or at the request of the contractor or subcontractor made within ninety days from the date of such determination initiates a review of such determination within ninety days from the date of such request, such determination shall be deemed the determination of the Board. If such determination was made by an order with respect to which notice thereof was given by registered mail *or by certified mail* pursuant to section 105(a), the Board shall give notice by registered mail *or by certified mail* to the contractor or subcontractor of its decision not to review the case. If the Board reviews any determination in any case not initially conducted by it and does not make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits, it shall issue and enter an order under section 105(a) determining the amount, if any, of excessive profits, and forthwith give notice thereof by registered mail *or by certified mail* to the contractor or subcontractor. The amount

of excessive profits so determined upon review may be less than, equal to, or greater than, that determined by the agency of the Government whose action is so reviewed.

SECTION 9(b) OF THE PROFESSIONAL ENGINEERS' REGISTRATION ACT (64 Stat. 862; D.C. Code, sec. 2–1809(b))

(b) The Board shall, at least thirty days prior to the date set for the hearing, notify the accused in writing, of any charges made, and shall afford him an opportunity to be heard in person or by counsel in reference thereto. Such notice may be served by its delivery personally to the accused licensee by the United States marshal in the manner prescribed for service of original process in the United States District Court for the District of Columbia, or by mailing it by registered mail *or by certified mail* with return receipt demanded, to the place of business last theretofore specified by the accused in his last notification to the Board. At the time and place fixed in the notice, the Board shall proceed to hearing of the charges and both the accused and the complainant shall be accorded ample opportunity to present in person or by counsel, such testimony, evidence, and argument as may be pertinent to the charges or to any defense thereto. The Board may continue such hearing from time to time and shall give notice in writing to all parties in interest of the date and hour to which the hearing has been continued, and the place at which it is to be held.

SECTION 10 OF THE ACT OF MARCH 19, 1906, AS AMENDED (48 Stat. 845; D.C. Code, sec. 5–310)

SEC. 10. Such notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or if no such office can be found in said District by reasonable search if forwarded by registered mail *or by certified mail* to the last-known address of the person to be notified and not returned by the post-office authorities, or if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on ten consecutive days in a daily newspaper published in the District of Columbia, or if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided, or if delivered to the agent, trustee, executor, or other legal representative of the estate of such person. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal

officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia: *Provided*, That in case of failure or refusal of the owner entitled to the beneficial use, rental, or control of any buildings specified in this Act, to comply with the requirements of the notice provided for in section 9, the Commissioners are hereby empowered and it is their duty to cause such erection of fire escapes and other appliances mentioned in the notice provided for, and they are hereby authorized to assess the costs thereof as a tax against the buildings on which they are erected and the ground on which the same stands, and to issue tax-lien certificates against such building and grounds for the amount of such assessments, bearing interest at the rate of 10 per centum per annum, which certificates may be turned over by the Commissioners to the contractor for doing the work.

SECTION 3 OF THE ACT OF APRIL 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315)

SEC. 3. That for the purposes of this Act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left at the usual residence or place of business of the person to be notified, with a person of suitable age and discretion then resident therein; or (b) if no such residence or place of business can be found in said District by reasonable search, if left with any person of suitable age and discretion employed therein at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or, (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail *or by certified mail* to the last known address of the person to be notified and not returned by the post-office authorities; or, (d) if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or, (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact can not be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this Act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the place of business of such agent in the District of Columbia. Every notice

aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

SECTION 5 OF THE ACT OF DECEMBER 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321)

SEC. 5. Any notice required by this Act shall be deemed to have been served if delivered to the person to be notified or left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or, if no such residence or place of business can be found in said District of Columbia by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or, if no such office can be found in said District, by reasonable search, if forwarded by registered mail *or by certified mail* to the last-known address of the person to be notified and not returned by the post-office authorities, or, if no address be known or can by reasonable diligence be ascertained, or, if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on ten consecutive days in a daily newspaper published in the District of Columbia, or, if by reason of an outstanding unrecorded transfer of title, the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore provided or delivered to the agent, trustee, executor, or other legal representative of the estate of such person. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the services of notices on natural persons holding property in their own right, or if no such officer can be found in said District by reasonable search, then by publication for ten consecutive days in a daily newspaper published in the District of Columbia, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia, or if published on ten consecutive days in a daily newspaper published in the District of Columbia.

ACT OF MAY 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221)

AN ACT To provide for notice to owners of land assessed for benefits by the verdict of condemnation juries in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where in any condemna-

tion proceedings instituted by the Commissioners of the District of Columbia in accordance with the provisions of subchapter 1 of chapter 15, or in accordance with the provisions of chapter 55 of the Code of Law for the District of Columbia, the jury of condemnation shall assess benefits against any land or parcel of land no part of which was taken by the condemnation proceedings, and the owner of the land or parcel of land so assessed for benefits was not served with notice of the condemnation proceedings, notice of such assessment for benefits shall be given by the Commissioners of the District of Columbia by registered [letter] *mail or by certified mail*, mailed to the last known address of the person listed on the records of the assessor of the District of Columbia as the owner of the land or parcel of land so assessed, and, in addition thereto, the court shall give public notice of the land or parcels of land assessed for benefits, no part of which was taken by the condemnation proceedings, by advertisement once in each of three daily newspapers published in the District of Columbia showing the amount assessed against each such piece or parcel of land and stating the time within which interested parties may file with the court any objections or exceptions they may have to the verdict. The mailing by registered [letter] *mail or by certified mail* and the notice by publication herein provided for shall be sufficient notice to the owner of any land or parcel of land assessed for benefits as aforesaid. Nothing herein contained shall be considered to abrogate or nullify the option conferred upon the Commissioners of the District of Columbia by the Act of Congress approved May 28, 1926, entitled "An Act to provide for the condemnation of land for the opening, extension, widening, or straightening of streets, avenues, roads, or highways in accordance with the plan of the permanent system of highways for the District of Columbia, and for other purposes."

Approved, May 29, 1928.

SECTION 5 OF THE ACT OF MARCH 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805)

SEC. 5. (a) Actions shall be commenced in said branch by the filing of a statement of claim, in concise form and free of technicalities. The plaintiff or his agent shall verify the statement of claim by oath or affirmation in the form herein provided, or its equivalent, and shall affix his signature thereto. The clerk of said branch shall, at the request of any individual, prepare the statement of claim and other papers required to be filed in an action in this branch, but his services shall not be available to any corporation, partnership, or association in the preparation of such statements or other papers. A copy of the statement of claim and verification shall be made a part of the notice to be served upon the defendant named therein. The mode of service shall be by the United States marshal, as provided by law; or by registered mail *or by certified mail* with return receipts; or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose.

(b) When notice is to be served by registered mail *or by certified mail*, the clerk shall enclose a copy of the statement of claim, verification, and notice in an envelope addressed to the defendant, prepay the postage with funds obtained from plaintiff, and mail the same forthwith, noting on the records the day and hour of mailing. When

such receipt is returned, the clerk shall attach the same to the original statement of claim, and it shall constitute prima-facie evidence of service upon the defendant.

(c) When served by a private individual, as above provided, he shall make proof of service by affidavit before the clerk, showing the time and place of such service.

(d) When served by the marshal, or by registered mail *or by certified mail*, the actual cost of service shall be taxable as costs. When served by an individual, as above provided, the cost of service, if any, shall not be taxable as costs.

(e) The statement of claim, verification, and notice shall be in the following or equivalent form, and shall be in lieu of any forms now employed and of any form of summons now provided by law:

MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA

SMALL CLAIMS AND CONCILIATION BRANCH

(Location of room in courthouse) (Address of court)

WASHINGTON, D.C.

Plaintiff

Address

vs.

Defendant

No.---

STATEMENT OF CLAIM

(Here the plaintiff, or at his request the clerk, will insert a statement of the plaintiff's claim, and the original, to be filed with the clerk, may, if action is on a contract, express or implied, be verified by the plaintiff or his agent, as follows:)

DISTRICT OF COLUMBIA, *ss:*

---- being first duly sworn on oath says the foregoing is a just and true statement of the amount owing by defendant to plaintiff, exclusive of all set-offs and just grounds of defense.

Plaintiff (or agent)

Subscribed and sworn to before me this ____ day of----------, 19----.

Clerk (or notary public)

NOTICE

To: ----
Defendant

Home address

Business address

You are hereby notified that ---------- has made a claim and is requesting judgment against you in the sum of -------- dollars ($------), as shown by the foregoing statement. The court will hold a hearing upon this claim on ---------- at -------. m. in the small claims and conciliation branch, (address of court).

You are required to be present at the hearing in order to avoid a judgment by default.

If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them with you at the time of the hearing.

If you wish to have witnesses summoned, see the clerk at once for assistance.

If you admit the claim, but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court.

You may come with or without an attorney.

[SEAL] ----,

Clerk of the small claims and conciliation branch, municipal court.

(f) The foregoing verification shall entitle the plaintiff to a judgment by default, without further proof, upon failure of defendant to appear, when the claim of the plaintiff is for a liquidated amount; when the amount is unliquidated, plaintiff shall be required to present proof of his claim.

(g) The clerk shall furnish the plaintiff with a memorandum of the day and hour set for the hearing, which time shall be not less than five nor more than fifteen days from the date of the filing of the action. All actions filed in this branch shall be made returnable herein.

SECTION 2 OF THE ACT OF APRIL 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613)

SEC. 2. The Commissioners of the District of Columbia or agencies of the United States authorized by law to acquire real estate are further authorized, upon completion of public improvements, to subdivide, and sell at public or private sale, or exchange, any such excess land, and to carry out such purpose or purposes, to convey any lands acquired in excess of that actually needed and which is not essential to the usefulness of such public works, with such reservations concerning the future use and occupation of such real estate as may in their discretion be necessary to protect such public improvements; and any and all moneys received from any sale or transfer of land in accordance with the provisions of this Act shall be covered into the Treasury of the United States, and where the property sold was acquired under an appropriation authorized for the use of the District of Columbia, any and all moneys received from such sale shall be deposited in the Treasury to the credit of the revenues of the District of Columbia: *Provided*, That in the event of sale as herein authorized, notice of not less than twenty days before such sale shall be published in a daily newspaper published in the District of Columbia, and notice by registered mail *or by certified mail* before such sale be mailed to the last known address of the persons listed on the records of the assessor of the District of Columbia as the owners of the land abutting the land to be sold and sold at not less than the fair market value at the time sold as determined by appraisement of the assessor of the District of Columbia: *Provided, however*, That whenever the authorities of the United States or the District of Columbia having jurisdiction over such acquired land, or rights or easements, shall elect to retain any or all of the same for use of the United States or the District of Columbia, the said authorities are authorized to use said land, rights, or easements for park, playground, highway, or alley purposes, or for any other lawful purpose which the said authorities shall deem advantageous or in the public interest.

FIRST PARAGRAPH OF SECTION 24 OF THE LIFE INSURANCE ACT (48 Stat. 1137; D.C. Code, sec. 35–423)

SEC. 24. ATTORNEY FOR SERVICE OF PROCESS.—Every domestic company not having its home office in the District and every foreign

or alien company now or hereafter transacting business in the District, and every foreign or alien company now or hereafter soliciting, selling, or writing insurance on any resident of the District, through the medium of the United States mails, shall file with the Superintendent a duly executed instrument appointing and constituting him and his successors the true and lawful attorney of such company upon whom all lawful process in any action or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon its said attorney, as herein provided, shall be of the same force and validity as if served upon the company and the authority thereof shall continue in force irrevocably so long as any liability of the company in the District shall remain outstanding. Such process shall be served by leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the principal. The Superintendent shall forthwith forward such process by mail to the company, or, in the case of an alien company, to the resident manager or last appointed general agent of the company in the United States. The deposit, by the Superintendent or his deputy, of such process sent by registered mail *or by certified mail* in a sealed envelope, postage prepaid, in the United States mail and service of such process, shall not be effectual until the same has been so mailed and received by the company and [registered receipt] *the return receipt for such registered or certified mail* shall be prima facie evidence of the notice of service to a company, or to the resident manager in the case of an alien company.

SECTION 23(b) OF THE FIRE AND CASUALTY ACT (54 Stat. 1075; D.C. Code, sec. 35–1327(b))

(b) ATTORNEY FOR SERVICES OF PROCESS.—Every foreign or alien company now or hereafter authorized to transact business in the District shall file with the Superintendent a duly executed instrument appointing and constituting him and his successors true and lawful attorney for such company, upon whom all lawful process in any action or legal proceeding against it in the District may be served, and therein shall agree that any lawful process against it, which may be served upon its said attorney as herein provided, shall be of the same force and validity as if served upon the company, and that the authority thereof shall continue in force irrevocably so long as any liability of the company in the District shall remain outstanding. Such process shall be served by delivering to and leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the company. The Superintendent shall forthwith forward such process by prepaid registered mail *or by certified mail* to the company, or, in the case of an alien company, to the United States manager or last appointed United States general agent of the company. The registry receipt evidencing the deposit by the Superintendent, or his deputy, of such process, in the United States mails in the manner herein prescribed, shall be prima facie evidence of the completion of such service. Failure of any such company to file such an instrument, or failure on the part of any such company to authorize such filing, shall not invalidate any service

made by serving the Superintendent. By accepting a certificate of authority to transact business in the District, every such company shall be held to have appointed the Superintendent its true and lawful attorney. Any such company transacting business in the District without designating an attorney for service of process as herein provided shall, upon information filed by the corporation counsel of the District in the police court of the District, be fined upon conviction not less than $10 nor more than $500 for each day during which the company shall have operated in violation of this section.

SECTIONS 9 AND 10 OF THE ACT OF AUGUST 25, 1937 (50 Stat. 794, 795; D.C. Code, secs. 45–1409 and 1410)

PROVISION FOR HEARING BEFORE APPLICATION IS REFUSED OR LICENSE SUSPENDED OR REVOKED

SEC. 9. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a public hearing, and at least ten days prior to the date set for the hearing it shall notify the applicant or licensee in writing of any charges made and shall afford said applicant or licensee an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of same personally to the applicant or licensee or by mailing same by registered mail *or by certified mail* to the last-known business address of such applicant or licensee. If said applicant or licensee be a salesman the Commission shall also notify the broker employing him, or whose employ he is about to enter, by mailing notice by registered mail *or by certified mail* to the broker's last-known address. The hearing on such charges shall be at such time and place as the Commission shall prescribe. The Commission shall have the power to issue subpenas or take testimony of any person by deposition in the same manner as prescribed by law in judicial procedure in the District Court of the United States for the District of Columbia in civil cases. It shall also have the power to require the production of books, records, papers, and documents by subpena or otherwise. Any party to any hearing before the Commission shall have the right to the attendance of witnesses in his behalf at such hearing upon making request therefor to the Commission and designating the person or persons sought to be subpenaed. If the Commission shall determine that any applicant is not qualified to receive a license, a license shall not be granted to said applicant, and if the Commission shall determine that any licensee is guilty of a violation of any of the provisions of this Act, his or its licenses shall be suspended or revoked. All evidence before and findings of fact made by the Commission and questions of law involved in any final decision or determination of the Commission shall be subject to review by the District Court of the United States for the District of Columbia upon a writ of certiorari, mandamus, appeal, or by any other method permissible under the rules and practices of said court or the laws of the District of Columbia, and the said court may make such further orders with respect thereto as justice may require: *Provided, however,* That application is made by the aggrieved party to the court within

thirty days after any determination by the Commission or within sixty days after formal request shall be made upon it for action. Such application shall operate as a stay of any action or finding of the Commission revoking or suspending a license, and until final decision by the District Court of the United States for the District of Columbia such licensee shall have the right to continue in business.

An appeal may be taken from the judgment of the said court on any such appeal on the same terms and conditions as an appeal is taken in civil actions.

Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes, upon the payment to the Commission of such reasonable fee as it shall, by general rule or regulation, prescribe.

NONRESIDENT BROKERS AND SALESMEN

SEC. 10. A nonresident of the District of Columbia may become a real-estate broker or a real-estate salesman in the District of Columbia by conforming to all of the conditions of this Act, except that the application of such person for a license need not be accompanied by the recommendation of real-estate owners in the District of Columbia prescribed in paragraph 2 of section 5 of this Act, but in lieu thereof the Commission shall require the filing of like recommendations by similarly qualified real-estate owners of property in the State, Territory, or county of such applicant's residence, and with the further exception that a nonresident of the District of Columbia need not maintain a place of business within the District of Columbia if he is licensed in and maintains a place of business in the State in which he resides.

(2) The Commission may recognize, in lieu of the recommendation and statements otherwise required by this Act to accompany an application for a license, the valid and existing license issued to a nonresident to act as a real-estate broker or salesman by any State having a law for the licensing of such brokers and salesmen similar to this Act, upon payment of the license fee prescribed by this Act and the filing by the applicant with the Commission of a duly authenticated copy of applicant's license issued by such State: *Provided, however,* That every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper courts of the District of Columbia by the service of any process or pleadings authorized by the laws of the United States applying to the District of Columbia on the secretary of the Commission, said consent stipulating and agreeing that such service of such process or pleadings on said secretary shall be taken and held in all courts to be as valid and binding as if due or personal service had been made upon said applicant in the District of Columbia. Said instrument containing such consent shall be duly acknowledged and if made by a corporation shall be authenticated by the seal thereof. All such applications, except from individuals, shall be accompanied by a duly certified copy of the resolution of the proper officers or managing board, authorizing the proper officer to execute the same. In case any process or pleadings mentioned in the Act are served upon the secretary of the Commission, it shall be by duplicate copies, one of which shall be filed in the office of the

Commission and the other immediately forwarded by registered mail *or by certified mail* to the residence address given by the applicant against which said process or pleadings are directed: *And provided further*, That every nonresident of the District of Columbia shall file a bond in form and contents the same as is required of applicants under section 5 of this Act.

FIRST PROVISO IN SECTION 3 OF THE ACT OF FEBRUARY 28, 1898, AS ADDED BY THE ACT OF FEBRUARY 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003)

SEC. 3. * * * *Provided*, That no deed shall be issued unless application therefor be made within five years from the last day of sale, and if no such application be made then the owner of any property sold as aforesaid, or any other person having an interest therein at the time of redemption, may redeem the property by paying to the collector of taxes for the legal holder of the certificate the amount for which it was sold at such sale, exclusive of surplus, plus interest thereon for the first two years after the date of such certificate of sale at the rate hereinabove provided, and for three years thereafter at the rate of 6 per centum per annum; that when the said property is redeemed as aforesaid, the collector of taxes shall, within five days thereafter notify the owner of record of such tax sale certificate at his last known address, by registered mail *or by certified mail*, of the redemption of such certificate; that within five years from the time that payment has been made to the collector of taxes to redeem such tax sale certificate, the owner thereof may apply for, and, upon the surrender of the certificate, shall receive from the District of Columbia the payment made as hereinbefore prescribed; that upon the failure of the owner of such tax sale certificate to apply within the period of five years, as hereinbefore prescribed, such money shall be forfeited to the District of Columbia, and be deposited by the collector of taxes in the Treasury of the United States to the credit of the general revenues of the District of Columbia * * *.

SECTION 2 OF THE ACT OF MARCH 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012)

SEC. 2. That before any such action shall be instituted, the aforesaid Commissioners shall cause notice to be given in the name appearing upon the records of the assessor as the owner of such property, by registered mail *or by certified mail* directed to the last known address of such person, and by publication once a week for three successive weeks in some daily newspaper published and circulated generally in the District of Columbia, against said person and "all other persons having or claiming to have any right, title, or interest in or to the real estate proposed to be proceeded against, their heirs, devisees, executors, administrators, and assigns", by such designation, to appear before them on a day certain, which day shall be at least ten days after the last publication of said notice, and show cause, if any they have, why the said real estate should not be proceeded against. For the purpose of the proceedings herein provided for, the person appearing

by the assessor's records, at the time of the first publication of notice, as the owner of such property, and any other persons who may appear in response to the publication aforesaid and claim to have an interest in such property, shall be deemed proper parties defendant in any such proceedings. Upon the filing of the petition aforesaid, the court shall enter an order directed to the person or persons named as defendants therein and "to all other persons having or claiming to have any right, title, or interest in the real estate proposed to be sold, their heirs, devisees, executors, administrators, and assigns", by such designation, directing them to appear on a day certain, which day shall be not less than thirty days after the date of the last publication of said order, and show cause, if any they have, why said real estate should not be proceeded against and sold. The said order shall be published once a week for three successive weeks in some daily newspaper published and circulated generally in the District of Columbia, and such publication shall be considered as sufficient service upon such person or persons as cannot be found by the marshal within the District of Columbia or who are nonresident or unknown, their heirs, devisees, executors, administrators, and assigns; and the proceedings or sale of such real estate shall not be rendered invalid if the true owner or owners or any other person or persons having any right, title, or interest in said real estate shall not be included as a party to the suit. if it shall appear that the publication herein provided for shall have been duly made.

SECTION 5 OF TITLE XII OF THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d)

SEC. 5. DETERMINATION AND ASSESSMENT OF DEFICIENCY.—If a deficiency in tax is determined by the Assessor, the taxpayer shall be notified thereof and given a period of not less than thirty days, after such notice is sent by registered mail *or by certified mail*, in which to file a protest and show cause or reason why the deficiency should not be paid. Opportunity for hearing shall be granted by the Assessor, and a final decision thereon shall be made as quickly as practicable.

SECTION 3(c) OF THE ACT OF APRIL 23, 1924, AS ADDED BY SECTION 3 OF THE ACT OF AUGUST 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903)

(c) If any importer fails, refuses, or neglects to file the monthly report within the time required by section 4, or to pay the tax within the time required by section 6, there shall be added to such tax an amount equal to the sum of 20 per centum of the amount of such tax, and the assessor shall promptly notify the importer and the bonding company by notice sent by registered mail *or by certified mail* to such importer requiring him to show cause why the license should not be revoked. If in the opinion of the assessor the importer fails within ten days after the mailing of such notice to show that failure to file the monthly report or to pay the tax as the case may be within

the time required was due to accident or justifiable oversight, the assessor shall forthwith revoke such license. Any importer whose license has been revoked shall not be issued another license for twelve months following the date of said revocation.

SECTION 14(a) OF TITLE IX OF THE DISTRICT OF COLUMBIA REVENUE ACT OF 1937 AS ADDED BY SECTION 4 OF THE ACT OF JULY 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413(a))

SEC. 14. (a) Where there has been an overpayment of any tax, the amount of such overpayment shall be refunded to the taxpayer. No such refund shall be allowed after two years from the date the tax is paid unless before the expiration of such period a claim therefor is filed by the taxpayer. The amount of refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim, or if no claim is filed, then during the two years immediately preceding the allowance of the refund. Every claim for refund must be in writing, under oath, must state the specific grounds upon which the claim is founded and must be filed with the Assessor. If the Assessor disallows all or any part of the claim for refund, he shall send to the taxpayer by registered mail *or by certified mail* a notice of such disallowance. Within ninety days after the mailing of the notice of disallowance, if the claim is acted upon within six months after the filing thereof, or within ninety days after the termination of such six months' period, if the claim is not acted upon within such period, the taxpayer may appeal to the Board, in the same manner and to the same extent as set forth in sections 3 and 4 of this title: *Provided*, That this subsection shall not apply to the taxes imposed by title II, District of Columbia Revenue Act of 1939, as amended; by the District of Columbia Income and Franchise Tax Act of 1947, as amended; or by titles I and II, District of Columbia Revenue Act of 1949, refunds of which are otherwise provided for by law; and that it shall not apply to the real-estate tax.

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Calendar No. 1550

86TH CONGRESS
2D SESSION

H. R. 10996

[Report No. 1489]

IN THE SENATE OF THE UNITED STATES

APRIL 20 (legislative day, APRIL 19), 1960
Read twice and referred to the Committee on Post Office and Civil Service

MAY 26, 1960
Reported by Mr. JOHNSTON of South Carolina, without amendment

AN ACT

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12(b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(2) Section 6(b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or

by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail"

and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107 (d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2 (a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5 (d) (1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(12) Section 402 (c) (4) of the National Housing Act, as amended by section 501 of the Housing Act of 1954 (68 Stat. 633; 12 U.S.C. 1725), is amended by inserting "or by certified mail" immediately following "registered mail".

(13) Section 5(f) of the Federal Trade Commission Act, as amended (52 Stat. 113; 15 U.S.C. 45), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(14) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 805; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(15) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(16) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(17) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 133; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(18) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1053; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(19) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following:

"Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

(20) The second sentence of section 2410(b) of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(21) The third sentence in the third paragraph of section 17 of the Mineral Lands Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(22) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U. S. C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) The third sentence of section 207(i) of the

Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(24) The first sentence of section 208 (b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(25) Clause (1) of the last paragraph of section 7 (a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(26) Clause (1) of the last paragraph of section 5 (a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(27) Section 2 (b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 682; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(28) The first sentence of section 3491 (C) of the Revised Statutes, as added by the Act of December 23, 1943

(57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(29) Section 3491 (D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 609; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(30) The second sentence of section 19 (c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(31) Section 19 (e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(32) Section 784 (b) of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(33) Section 5226 of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail".

(34) The second paragraph of section 2 of the Act of August 24, 1912, as amended (47 Stat. 1486; 39 U.S.C. 233), is amended by striking out "by registered letter" and

inserting in lieu thereof "by registered mail or by certified mail".

(35) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(36) The last sentence of section 4(d) of the National Science Foundation Act of 1950, as amended (73 Stat. 467; 42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The first sentence of section 19a(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 702), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking out the words "registered letter" and inserting in lieu thereof "registered mail or by certified mail".

(39) Section 105(a) of the Renegotiation Act of

1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) Section 107 (e) of the Renegotiation Act of 1951 (65 Stat. 20; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(41) The second sentence of section 9 (b) of the Professional Engineers' Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 10 of the Act of March 19, 1906 (34 Stat. 71), as amended (48 Stat. 845; D.C. Code, sec. 5–310), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(43) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(44) The first sentence of section 5 of the Act of De-

cember 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(45) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking out "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(46) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(47) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) The fourth sentence in the first paragraph of section 24 of the Life Insurance Act (48 Stat. 1137; D.C. Code, sec. 35–423) is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(49) The third sentence of section 23 (b) of the Fire

and Casualty Act (54 Stat. 1075; D.C. Code, sec. 35–1327 (b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947

(61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3 (c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14 (a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413 (a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

Passed the House of Representatives April 19, 1960.

Attest: RALPH R. ROBERTS,

Clerk.

Calendar No. 1550

86TH CONGRESS
2D SESSION

H. R. 10996

[Report No. 1489]

AN ACT

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

APRIL 20 (legislative day, APRIL 19), 1960
Read twice and referred to the Committee on Post Office and Civil Service

MAY 26, 1960
Reported without amendment

H. R. 10996

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued June 3, 1960
For actions of June 2, 1960
86th-2d, No. 100

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HIGHLIGHTS: House Rules Committee cleared Mexican farm labor bill. House passed: Multiple use forestry management bill; bill to revise Farmers Home Administration laws. House appointed conferees on industrial uses research bill.

SENATE

1. FOREIGN AID. Passed with an amendment S. 3074, to provide for participation of the United States in the International Development Association (pp. 10829-44, 10845-50). Sen. Fulbright stated that it is contemplated that the United States would use a portion of the foreign currencies accumulating under title L of Public Law 480 in supporting the work of the Association (p. 10830).

2. PERSONNEL. Passed as reported H. R. 7577, to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment. pp. 10802-3

3. RECLAMATION. Agreed to the amendments of the House to S. 1892, to authorize the Secretary of the Interior to construct and operate the Norman, Okla., reclamation project. This bill will now be sent to the President. pp. 10794-5

4. POSTAL SERVICE. Passed without amendment H. R. 10996, to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail. This bill will now be sent to the President. p. 10810

5. IMPORT DUTIES. Passed as reported H. R. 11748, to provide a tariff rate of 1 1/10 cents per pound on the importation of fresh or frozen coconut meat, and to provide for the free importation of tight barrelheads of softwood. pp. 10810-1

6. ELECTRIFICATION. Sen. Randolph commended the United Utilities of West Virginia for installing a rural telephone system with the help of an REA loan, stating that it "is a dramatic example of how private enterprise and the Federal Government can work together for the betterment of our society." p. 10796

7. WATER RESOURCES; RECLAMATION. Sen. Anderson inserted a recent address by Commissioner of Reclamation, Floyd E. Dominy, discussing "reclamation's future program" and pointing up the problems involved in furnishing adequate water for the growing population. pp. 10795-6

8. CULTURAL EXCHANGES; TRADE FAIRS. Both Houses received from the President the seventh semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1958. pp. 10787, 10879

9. PATENTS. Sen. Javits inserted a Central New York Patent Law Association resolution opposing enactment of S. 3156, defining rights under inventions arising from research conducted under projects financed by the U. S. p. 10788

10. FISH AND WILDLIFE. Passed over, at the request of Sen. Keating, H. R. 2565, to promote effectual planning, development, maintenance, and coordination of wildlife, fish and game conservation and rehabilitation on military reservations. p. 10811

11. FOREIGN TRAVEL. Passed over, at the request of Sen. Prouty, S. 3102, to provide for the establishment of an Office of International Travel and Tourism and a Travel Advisory Board. p. 10811

12. WATERSHEDS. Passed over, at the request of Sen. Engle, S. 3383, to amend Sec. 4 of the Watershed Protection and Flood Prevention Act so as to authorize Federal assistance on watershed projects prior to acquisition of land, easements, or rights-of-way needed in connection with works of improvement. p. 10811

13. POSTAL RATES; INFORMATION. Passed over, at the request of Sen. Engle, H. R. 4595, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials. p. 10811

14. TRANSPORTATION. Passed over, at the request of Sen. Engle, H. R. 10840, to extend the period during which ocean steamship lines may utilize the two-rate system of charging for transportation service. p. 10811

15. LEGISLATIVE PROGRAM. Sen. Johnson announced that the following bills will be considered today, June 3: S. 3044, to authorize the national forests to be managed under principles of multiple use and sustained yield; H. R. 7681, transfer of certain authorities for the exchange or sale of forest land and timber from Interior to USDA; and S. 2583, to authorize reimbursement of owners of land acquired by U. S. for their moving expenses. p. 10851

orders and warrants of deportation, warrant of arrest, and bonds, which may have issued in the case of Jesus Cruz-Figueroa.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF SECTION 57a OF THE BANKRUPTCY ACT

The Senate proceeded to consider the bill (H.R. 6816) to amend section 57a of the Bankruptcy Act (11 U.S.C. 93a) and section 152, title 18, United States Code, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 10, after the word "the", where it appears the second time, to strike out "creditor." and insert "creditor. A proof of claim filed in accordance with the requirements of the Bankruptcy Act, the General Orders of the Supreme Court, and the official forms, even though not verified under oath, shall constitute prima facie evidence of the validity and amount of the claim."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ANGELA MARIA

The Senate proceeded to consider the bill (H.R. 8888) for the relief of Angela Maria, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 11, after the word "Act", to insert a colon and *"And provided further,* That the exemptions granted herein shall apply only to grounds for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this Act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MANUEL ALVES DeCARVALHO

The Senate proceeded to consider the bill (S. 762) for the relief of Manuel Alves DeCarvalho, which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the name "Alves", to strike out "DeCarvalho" and insert "de Carvalho"; and in line 6, after the word "of", where it appears the first time, to strike out "the date of his last entry into the United States, upon payment of the required visa fee" and insert "March 13, 1957", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Manuel Alves de Carvalho shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 13, 1957.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Manuel Alves de Carvalho."

TONG MO LOUI

The Senate proceeded to consider the bill (S. 2639) for the relief of Tong Mo Loui, which had been reported from the Committee on the Judiciary, with amendments, in line 3, after "sections 101(a)(27)(A)", to strike out "and 205"; in line 4, after the word "Act", to strike out "Tong Mo Loui" and insert "Mo Tong Lui"; and in line 5, after the word "b", where it appears the second time, to strike out "the alien minor child of Shew Kay Lui, a United States citizen" and insert "under 21 years of age: *Provided,* That a petition is filed in his behalf under section 205 of the said Act within one year from the date of enactment of this Act", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) of the Immigration and Nationality Act, Mo Tong Lui shall be held and considered to be under 21 years of age: *Provided,* That a petition is filed in his behalf under section 205 of the said Act within one year from the date of enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mo Tong Lui."

PAK JUNG HI

The Senate proceeded to consider the bill (S. 3038) for the relief of Pak Jung Hi, which had been reported from the Committee on the Judiciary, with amendments, in line 5, after the word "child", to strike out "Pak Jung Hi" and insert "Jung Hi Pak"; and in line 8, after the word "of", to strike out "Pak Jung Hi", and insert "Jung Hi Pak", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Jung Hi Pak, shall be held and considered to be the natural-born alien child of Captain and Mrs. William S. Herrington, citizens of the United States: *Provided* That no natural parent of Jung Hi Pak, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Jung Hi Pak."

DEPORTATION OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 638) relating to the deportation of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 7, after the name "Carmi", to strike out "Marie Haladjian,"; in line 10, after the name "Spikilis", to insert "Alvin Ergin (Ahmet Hamdi Ergin),"; and on page 2, line 4, after the word "issued", to insert a colon and *"Provided,* That nothing in section 1 of this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act in the case of Alvin Ergin (Ahmet Hamdi Ergin)"

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

PARTICIPATION BY THE UNITED STATES IN THE WEST VIRGINIA CENTENNIAL CELEBRATION

The joint resolution (H.J. Res. 208) providing for participation by the United States in the West Virginia Centennial Celebration to be held in 1963 at various locations in the State of West Virginia, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. RANDOLPH. Mr. President, it was my privilege to present for the consideration of the Senate a joint resolution, Senate Joint Resolution 105, which is similar to the measure now pending before this body.

West Virginia, in 1963, will have appropriate celebrations in connection with the centennial of our great State. I am delighted to have consponsored this legislation, and I hope the Senate will give it a unanimous stamp of approval.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to say for the benefit of the senior Senator from West Virginia that the only reason we reported the House joint resolution instead of the Senator's joint resolution was that it was a House joint resolution, and would not have to go back to the House. The Senator's measure would have to go back to the House.

I commend the able senior Senator from West Virginia for his alert, loyal, and devoted service to his people. West Virginia is indeed fortunate in having such a person represent them in the Senate. The Senator had an outstanding record during his service in the House of Representatives and in compiling a fine record in the Senate.

Mr. RANDOLPH. I am grateful to the Senator for this explanation and his kind remarks.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R.11045) to amend section 704 of title 38, United States Code, to permit the conversion or exchange of policies of national service life insurance to a new modified life plan was announced as next in order.

Mr. PROUTY. Mr. President, I have no objection to this bill, and would vote for it if it were taken up on motion. However, I do not believe it is Consent Calendar business, and therefore I ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over.

RESTORATION OF SIZE AND WEIGHT LIMITATIONS ON FOURTH-CLASS MATTER TO OR FROM ALASKA AND HAWAII

The bill (S. 2869) to restore the size and weight limitations on fourth-class matter mailed to or from Alaska and Hawaii which existed prior to their admission as States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to readjust the size and weight limitations on fourth-class (parcel post) mail", approved October 24, 1951, as amended (39 U.S.C. 240a), is amended by inserting after "Pacific Islands," wherever such words appear, the words "or in the States of Alaska and Hawaii,".

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement explaining the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Existing law establishes size and weight limitations on fourth-class matter moving between the States and territories and possessions which are more liberal than the limitations on similar matter moving between post offices in the States.

With certain exceptions, the basic limitations in the States is 72 inches in girth and length combined with a weight of more than 16 ounces but not to exceed 40 pounds in the first and second zones and 20 pounds in the third to eighth zones. In the territories and possessions, the limit on girth and length is 100 inches and on the weight it is 70 pounds. As possessions, Alaska and Hawaii enjoyed these latter provisions. However, as States they are subject to the comparatively restrictive provisions applicable to the third to eighth zones in the States.

The bill would restore to them the exact provisions that prevailed before they became States.

BILL PASSED OVER

The bill (S. 2893) to permit weekly publications to suspend publication for not more than two issues in any 1 calendar year without loss of 2d-class mail privilege was announced as next in order.

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

UNIFORMITY OF CERTAIN POSTAL REQUIREMENTS

The bill (H.R. 6830) to provide for uniformity of application of certain postal requirements with respect to disclosure of the average numbers of copies of publications sold or distributed to paid subscribers, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement explaining the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Under the present law, editors, publishers, business managers, or owners of every newspaper, magazine, periodical, or other publication are required to file sworn statements with the Postmaster General each year. In the case of newspapers, it is required that there be included in such statement "the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding 12 months."

As this provision is effective in the newspaper field, it also should be extended to all publications, and especially to the periodical field where there is a tendency toward abuses in the practice of free circulation. In practice, the present law is being applied to all publications issued weekly or more frequently, and this includes many magazine-type publications.

This legislative proposal will accomplish the desired results.

USE OF CERTIFIED MAIL BY GOVERNMENT AGENCIES

The bill (H.R. 10996) to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The general purpose of this measure is to authorize the various Government departlieu of registered mail. The certified-mail procedure of the Post Office Department in lieu of registered mail. This certified-mail procedure in many instances will serve the Government's needs equally as well as the more costly registered mail.

Certain official documents and papers are required, by various statutes, to be transmitted by registered mail when sent by the Government departments or agencies set forth in the statutes.

In a survey of the departments and agencies, the Bureau of the Budget found that the use of certified mail, in place of registered mail, would be both effective and economical.

The bill, therefore, amends existing laws so as to permit each department and agency the option of using either registered mail or certified mail as deemed suitable to the occasion.

BILL PASSED OVER

The bill (S. 3545) to amend section 4 of the act of January 21, 1929 (48 U.S.C. 354a(c)), and for other purposes was announced as next in order.

Mr. KEATING. Mr. President, I am advised that no report has been received from the Department of the Interior, although it has been requested. I understand that the report is in the process of preparation, and is on its way to the Senate. Therefore, for the time being, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

SUSPENSION OF DUTIES ON METAL SCRAP

The Senate proceeded to consider the bill (H.R. 11748) to continue until the close of June 30, 1961, the suspension of duties on metal scrap, and for other purposes, which had been reported from the Committee on Finance, with amendments, on page 2, line 3, after "Sec. 2.", to strike out "This" and insert "The first section of this"; after line 5, to insert a new section, as follows:

SEC. 3. (a) Paragraph 758 of the Tariff Act of 1930 (19 U.S.C. 1001, par. 758) is amended by inserting "(a)" after the paragraph number and adding the following new subparagraph:

"(b) Coconut meat, fresh or frozen, and shredded or grated, or similarly prepared, unsweetened or sweetened with sugar not to exceed 10 per centum by weight, 1½₀ cents per pound."

(b) The amendment made by this section shall apply in the case of articles entered for consumption, or withdrawn from warehouse for consumption, after the thirtieth day after the date of enactment of this Act.

After line 17, to insert a new section, as follows:

SEC. 4. (a) Paragraph 1805 of the Tariff Act of 1930 (19 U.S.C. 1201, par. 1805) is amended to read as follows:

"PAR. 1805. Pickets, palings, hoops, staves of wood of all kinds, and tight barrelheads of softwood."

(b) The amendment made by this section shall apply in the case of articles entered for consumption, or withdrawn from warehouse for consumption, after the thirtieth day after the date of enactment of this Act.

And, on page 3, after line 2, to insert a new section as follows:

SEC. 5. (a) Section 309(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1309(a)), is amended in the following respects:

(1) By inserting ", or between Hawaii and any other part of the United States or between Alaska and any other part of the United States" immediately after "possessions", wherever it appears.

(2) By adding the following paragraph thereto:

"The provisions for free withdrawals made by this subsection (a) shall not apply to petroleum products for vessels or aircraft in voyages or flights exclusively between Hawaii or Alaska and any airport or Pacific coast seaport of the United States."

(b) The amendment made by this section shall apply only with respect to articles withdrawn as provided in section 309(a) of the Tariff Act of 1930, as amended, on or after the date of the enactment of this Act.

The amendments were agreed to.

Public Law 86-507
86th Congress, H. R. 10996
June 11, 1960

AN ACT

74 STAT. 200.

To authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) section 12(b) of the Act of August 2, 1939, as added by section 4 of the Act of July 19, 1940 (54 Stat. 767; 5 U.S.C. 118k), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

Postal service. Certified mail by Government agencies.

(2) Section 6(b) of the Commodity Exchange Act (42 Stat. 1001, 1002; 7 U.S.C. 9) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(3) Section 3 of the Act of March 3, 1927 (44 Stat. 1373; 7 U.S.C. 473), is amended (A) by inserting "or by certified mail" immediately following the words "registered mail" and (B) by inserting "or receipt for certified mail" immediately following the words "registry receipt".

(4) Section 6(c) of the Perishable Agricultural Commodities Act, 1930 (46 Stat. 534; 7 U.S.C. 499f), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(5) Section 365 of the Agricultural Adjustment Act of 1938 (52 Stat. 63; 7 U.S.C. 1365) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(6) The proviso in the last sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as added by section 6 of the Act of June 13, 1940 (54 Stat. 394; 7 U.S.C. 1373), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(7) Section 409(d) of the Federal Seed Act (53 Stat. 1287; 7 U.S.C. 1599) is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (3) of the first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(8) Section 107(d) of the Soil Bank Act (70 Stat. 193; 7 U.S.C. 1831) is amended by inserting "or certified mail" immediately following the words "registered mail" wherever such words appear therein.

(9) Section 301 of the Act of March 9, 1933 (48 Stat. 5), as amended (12 U.S.C. 51a), is amended by inserting "or by certified mail" immediately following the words "registered mail" in the first sentence thereof.

(10) The last sentence of section 2(a) of the Act of August 17, 1950 (64 Stat. 456; 12 U.S.C. 214a), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(11) The last sentence in section 5(d)(1) of the Home Owners' Loan Act of 1933, as added by section 503 of the Housing Act of 1954 (68 Stat. 635; 12 U.S.C. 1464), is amended by inserting "or by certified mail," immediately following "registered mail,".

(12) Section 402(c)(4) of the National Housing Act, as amended by section 501 of the Housing Act of 1954 (68 Stat. 633; 12 U.S.C. 1725), is amended by inserting "or by certified mail" immediately following "registered mail".

(13) Section 5(f) of the Federal Trade Commission Act, as amended (52 Stat. 113; 15 U.S.C. 45), is amended (A) by striking out the words "registering and mailing a copy thereof" in clause (c) of the

first sentence and inserting in lieu thereof "mailing a copy thereof by registered mail or by certified mail" and (B) by striking out the words "registered and mailed" in the last sentence and inserting in lieu thereof "mailed by registered mail or by certified mail".

(14) The first sentence of section 8(e) of the Investment Company Act of 1940 (54 Stat. 805; 15 U.S.C. 80a–8) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(15) The second sentence of section 40(a) of the Investment Company Act of 1940 (54 Stat. 842; 15 U.S.C. 80a–39) is amended by inserting "or certified mail" immediately following the words "registered mail".

(16) The second sentence of section 211(c) of the Investment Advisers Act of 1940 (54 Stat. 855; 15 U.S.C. 80b–11) is amended by inserting "or certified mail" immediately following the words "registered mail".

(17) The first sentence of section 5 of the Act of March 29, 1944 (58 Stat. 133; 16 U.S.C. 583d), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(18) Clause (2) of section 505(g) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1053; 21 U.S.C. 355) is amended by inserting "or by certified mail" immediately following the words "registered mail".

62 Stat. 968. (19) Section 2284 of title 28, United States Code, is amended by striking out "Such notice shall be given by registered mail by the clerk, and shall be complete on the mailing thereof." and inserting in lieu thereof the following:

"Such notice shall be given by registered mail or by certified mail by the clerk and shall be complete on the mailing thereof."

62 Stat. 972. (20) The second sentence of section 2410(b) of title 28, United States Code, is amended by inserting "or by certified mail," immediately following "registered mail,".

(21) The third sentence in the third paragraph of section 17 of the Mineral Lands Leasing Act of February 25, 1920, as amended by the Act of July 29, 1954 (68 Stat. 584; 30 U.S.C. 226), is amended by inserting "or by certified mail," immediately following "registered mail,".

(22) The last sentence of section 207(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 700; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(23) The third sentence of section 207(i) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 477), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(24) The first sentence of section 208(b) of the Federal Coal Mine Safety Act, as added by the first section of the Act of July 16, 1952 (66 Stat. 702; 30 U.S.C. 478), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(25) Clause (1) of the last paragraph of section 7(a) of the Act of August 13, 1954 (68 Stat. 713; 30 U.S.C. 527), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(26) Clause (1) of the last paragraph of section 5(a) of the Act of July 23, 1955 (69 Stat. 370; 30 U.S.C. 613), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear in such clause.

(27) Section 2(b) of the Mining Claims Rights Restoration Act of 1955 (69 Stat. 682; 30 U.S.C. 621), is amended by inserting "or certified mail" immediately following the words "registered mail".

(28) The first sentence of section 3491(C) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 608; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(29) Section 3491(D) of the Revised Statutes, as added by the Act of December 23, 1943 (57 Stat. 609; 31 U.S.C. 232), is amended by inserting "or by certified mail," immediately following "registered mail,".

(30) The second sentence of section 19(c) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(31) Section 19(e) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1435; 33 U.S.C. 919) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(32) Section 784(b) of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail". 72 Stat. 1165.

(33) Section 5226 of title 38, United States Code, is amended by inserting "or by certified mail" immediately following the words "registered mail". 72 Stat. 1261.

(34) The second paragraph of section 2 of the Act of August 24, 1912, as amended (47 Stat. 1486; 39 U.S.C. 233), is amended by striking out "by registered letter" and inserting in lieu thereof "by registered mail or by certified mail".

(35) Section 205(d) of the Social Security Act, as amended (42 U.S.C. 405), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein. 53 Stat. 1370.

(36) The last sentence of section 4(d) of the National Science Foundation Act of 1950, as amended (73 Stat. 467; 42 U.S.C. 1863(d)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(37) Section 12(a) of the Railroad Unemployment Insurance Act (52 Stat. 1107; 45 U.S.C. 362) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(38) The first sentence of section 19a(h) of the Act of February 4, 1887, as added by the Act of March 1, 1913 (37 Stat. 702), and thereafter amended (49 U.S.C. 19a(h)), is amended by striking out the words "registered letter" and inserting in lieu thereof "registered mail or by certified mail".

(39) Section 105(a) of the Renegotiation Act of 1951 (65 Stat. 12; 50 U.S.C. App. 1215) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(40) Section 107(e) of the Renegotiation Act of 1951 (65 Stat. 20; 50 U.S.C. App. 1217) is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(41) The second sentence of section 9(b) of the Professional Engineers' Registration Act (64 Stat. 862; D.C. Code, sec. 2–1809(b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(42) The first sentence of section 10 of the Act of March 19, 1906 (34 Stat. 71), as amended (48 Stat. 845; D.C. Code, sec. 5–310), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(43) Clause (c) of the first sentence of section 3 of the Act of April 14, 1906 (34 Stat. 115; D.C. Code, sec. 5–315), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(44) The first sentence of section 5 of the Act of December 24, 1942 (56 Stat. 1084; D.C. Code, sec. 5–321), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(45) The Act of May 29, 1928 (45 Stat. 953; D.C. Code, sec. 7–221), is amended by striking out "registered letter" wherever such words appear and inserting in lieu thereof "registered mail or by certified mail".

(46) Section 5 of the Act of March 5, 1938 (52 Stat. 103; D.C. Code, sec. 11–805), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear.

(47) The first proviso in section 2 of the Act of April 11, 1935 (49 Stat. 152; D.C. Code, sec. 16–613), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(48) The fourth sentence in the first paragraph of section 24 of the Life Insurance Act (48 Stat. 1137; D.C. Code, sec. 35–423) is amended (A) by inserting "or by certified mail" immediately following the words "registered mail"; and (B) by striking out the words "registered receipt" and inserting in lieu thereof "the return receipt for such registered or certified mail".

(49) The third sentence of section 23(b) of the Fire and Casualty Act (54 Stat. 1075; D.C. Code, sec. 35–1327(b)) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(50) The first paragraph of section 9 of the Act of August 25, 1937 (50 Stat. 794; D.C. Code, sec. 45–1409), is amended by inserting "or by certified mail" immediately following the words "registered mail" wherever such words appear therein.

(51) The last sentence of section 10(2) of the Act of August 25, 1937 (50 Stat. 795; D.C. Code, sec. 45–1410), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(52) The first proviso in section 3 of the Act of February 28, 1898, as added by the Act of February 22, 1944 (58 Stat. 20; D.C. Code, sec. 47–1003), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(53) The first sentence of section 2 of the Act of March 2, 1936 (49 Stat. 1154; D.C. Code, sec. 47–1012), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(54) The first sentence of section 5 of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (61 Stat. 352; D.C. Code, sec. 47–1586d) is amended by inserting "or by certified mail" immediately following the words "registered mail".

(55) The first sentence of section 3(c) of the Act of April 23, 1924, as added by section 3 of the Act of August 17, 1937 (50 Stat. 678; D.C. Code, sec. 47–1903), is amended by inserting "or by certified mail" immediately following the words "registered mail".

(56) The fifth sentence of section 14(a) of title IX of the District of Columbia Revenue Act of 1937, as added by section 4 of the Act of July 10, 1952 (66 Stat. 546; D.C. Code, sec. 47–2413(a)), is amended by inserting "or by certified mail" immediately following the words "registered mail".

Receipts as prima facie evidence.

SEC. 2. Return receipts for the delivery of certified mail which is utilized under any provision of law shall be received in the courts as prima facie evidence of delivery to the same extent as return receipts for registered mail.

Approved June 11, 1960.

GPO 49139